

A. M. L. R. 2404
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Warrant and Recommendations of the
Appropriation Committee for the...

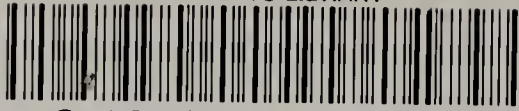
ANNUAL TOWN MEETING

TOWN OF
WEYMOUTH
COMMONWEALTH OF MASSACHUSETTS



DANIEL L. O'DONNELL AUDITORIUM
WEYMOUTH NORTH HIGH SCHOOL
1051 COMMERCIAL STREET • EAST WEYMOUTH

Monday, May 4, 1987
7:30 P.M.

**WEYMOUTH APPROPRIATION COMMITTEE**

Lawrence J. Sullivan, *Chairman*

Dr. Joseph A. Curro, *Vice Chairman*

John F. Cunningham, *Secretary*

John V. Donovan, Jr., *Assistant Secretary*

Vera Chirillo

Joseph Cooney

Leo J. Donovan

William M. Fay

Earl F. Hannafin

Donald R. Junkins

Susan M. Kay

William N. Neil

Janet Pickering

Scott Pickett

Richard R. Walsh

Allan J. Masison, *Ex Officio*

Daniel J. Bailey, Jr., *Ex Officio*

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ANNUAL TOWN MEETING



COMMONWEALTH OF MASSACHUSETTS

Norfolk, ss.

To the Town Meeting Members of the Town of Weymouth, in said County, Greeting:

In the name of the Commonwealth of Massachusetts, you are hereby notified to meet in the Daniel L. O'Donnell Auditorium of the North High School, 1051 Commercial St., East Weymouth, on

Monday, The Fourth Day of May, 1987

at seven o'clock and thirty minutes in the evening, then and there to act upon the following articles (a copy of which is enclosed); and in case all the articles in the warrant shall not have been acted upon at the meeting called for the 4th day of May, 1987 to meet in adjourned session in the aforesaid Daniel L. O'Donnell Auditorium of the North High School at seven o'clock and thirty minutes in the evening of each successive evening thereafter, unless other times may be then and there voted.

Given under my hand at Weymouth, the 19th day of February in the year of our Lord nineteen hundred and eighty-seven.

Franklin Fryer

Town Clerk of Weymouth

Dear Town Meeting Members:

Over the past several months, we have discussed and beaten to death, the estimated financial condition of the Town and we believe enough has been said.

Within the Warrant are the requests of Town Boards, Departments and Citizens. The Appropriation Committee has reviewed them and present to you, our recommendations.

Your Appropriation Committee

EXHIBIT A

Fiscal Year 1988 Tax Rate Estimate*

Total Appropriated	62,130,322
Cherry Sheet Offsets	371,243
County Assessments	421,006
State Assessments	1,565,285
State and County Under Estimates, Net	25,964
Overlay for Abatements	<u>800,000</u>
Gross Amount to be Raised	<u>65,313,820</u>
Estimated Receipts from State Local Aid	22,910,184
Local Receipts	8,500,000
Available Funds Including Free Cash	3,092,060
Additional Revenues - Undetermined Source	<u>1,101,085</u>
Total Estimated Receipts and Available Funds	<u><u>35,603,329</u></u>
Net Amount to Raised by Taxation	29,710,491
Tax Levy Limitation, Estimated	
Fiscal 1987 Estimated Allowable Tax Levy	28,498,040
Add New Growth, Estimated	500,000
Add 2½ % of Fiscal 1987, Estimated Tax Levy Limit	<u>712,451</u>
Total Estimated Allowable Fiscal 1988 Tax Levy	<u><u>29,710,491</u></u>

Estimated Tax Rate Without Classification
 $\$29,710,491 \div \$1,646,415,719$ \$18.05

*The Town is currently in the process of revaluation which should be completed by June, 1987.

EXHIBIT B

CAPITAL BUDGET REPORT

WEYMOUTH CAPITAL BUDGET COMMITTEE

Annual Report

1987 Annual Town Meeting

Membership:

Citizen appointees:

Paul Baharian	Robert Lopes
Donald J. Gustafson	John J. O'Connor III

Appropriations Committee appointees:

William Neal	Leo Donovan
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Planning Board appointees:

William Begly	Thomas Lindsay
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Responsibility:

To study proposed capital outlay requests involving: any individual piece of equipment; complete system consisting of a number of pieces of equipment and related items; extraordinary maintenance and repairs of a single structure, piece of equipment, or land use, with an aggregate cost of a minimum of \$25,000 and a useful life of three years or more. The committee shall annually prepare a written report for presentation to the Annual Town Meeting.

Report:

This is our third report and continued strides have been made to establish capital planning in the town of Weymouth. We would like to thank those departments and boards that submitted timely, comprehensive and well thought-out requests.

This year we reviewed \$14,883,160 of capital requests. The requests are summarized as follows:

	<u>Building</u>	<u>Equipment</u>	<u>Maintenance</u>	<u>Total</u>
Police	\$6,000,000		\$ 77,000	\$ 6,077,000
School			5,659,500	5,659,500
Fire		\$ 470,000	650,000	1,120,000
Selectmen		990,250		990,250
Public Works		158,685	165,325	324,010
Park		112,400	100,000	212,400
Pond Meadow	200,000			200,000
Library		105,000	30,000	135,000
Maint.-Study Comm.			165,000	165,000
	<u>\$6,200,000</u>	<u>\$1,836,335</u>	<u>\$6,846,825</u>	<u>\$14,883,160</u>

EXHIBIT B

CAPITAL BUDGET REPORT (Cont.)

It is evident from the preceeding chart that the overwhelming needs are for maintenance. For that reason, we asked Town Meeting last year to create a Town Maintenance Study Committee. This year that committee is requesting \$165,000 for professional help in determining maintenance costs. We strongly support that request. The magnitude of projected maintenance costs clearly supports the need for professional assistance.

One constant problem we have encountered the last three years is capital budget requests made at special town meetings. It is totally unfair to consider any particular request without competing with other capital budget needs that could be more important. Therefore, we again request that you consider all capital requests at one time and set your priorities with our recommendations as a guide. This can only be done at an annual town meeting. Capital budget requests should not be considered at Special Town Meetings except in extraordinary situations.

The following recommendations were made after careful consideration. In general, we used the following criteria:

- Maintenance: should be done from the outside in
- Equipment : should be purchased when needed to
reduce repair costs
- Total costs: should be spread as evenly as possible
over six years

The Police Station dollar amount is at best, an estimate. We have not received information from the Study Committee and only included the item because it must be addressed sometime in the future. The timing for maintenance expenditures could change entirely if the Town Maintenance Study Committee recommends bonding. Our recommendations were spread evenly to enable the Town to fund the repairs from tax levy.

We have reviewed our 1987/88 recommendations with the Appropriations Committee and we now submit to Town Meeting our recommendations for the fiscal years 1987/88 to 1992/93. No matter how much planning and effort is put into this capital budget by our committee and all others involved, the ultimate success of the capital budget process depends upon the resolve and commitment of each town meeting member.

Respectfully submitted,

Capital Budget Committee

EXHIBIT B

CAPITAL BUDGET

REPORT (Cont.)

PRIORITIZED LIST OF RECOMMENDATIONS

FISCAL YEAR 1987/88

	<u>Department</u>	<u>Amount</u>
Gym bleachers - South High	School	\$ 85,000
Whitman Pond restoration	DPW	165,325
Town Maintenance Study Comm.	Town Meeting	165,000
Data Processing System	Selectman	216,750
Roof repairs - four schools	School	183,000
Boiler - Pingree	School	60,000
Windows - five schools	School	713,000
Intercom - South High	School	38,000
Masonry work - Fulton	School	40,000
Trucks	DPW	75,000
Sidewalk tractor	DPW	35,000
Computer network	Library	35,000
Building, Pond Meadow	Pond Meadow	50,000
Radio equipment	Park	32,400
Maintenance and repair - Bicknell Field	Park	55,000
Legion field study	School	<u>20,500</u>
		<u>\$1,968,975</u>

EXHIBIT B

CAPITAL BUDGET

REPORT (Cont.)

FISCAL 1987/88 REQUESTS

NOT RECOMMENDED OR DEFERRED

	<u>Requested</u>
Great Hill maintenance - Park Dept.: withdrawn	\$ 45,000
Lighting, Lovell Park soccer field: the fields are overused without evening use. This would primarily benefit the adults	80,000
Windows - North High School: it is the committee's judgement this work cannot be completed in one year. Recommended spread over three years	1,000,000
Lights, Legion Field: we strongly recommend that nothing be done to Legion Field until the requested study is completed	42,000
Pond Meadow classroom and parking lot: this request has been inflated to qualify for grant money. We recommend \$50,000 to put in toilet facilities and a parking lot on the Braintree side	50,000

EXHIBIT B

CAPITAL BUDGET

REPORT (Cont.)

RECOMMENDATIONS

FISCAL YEARS 1988/89 to 1992/93

	<u>For Y/E</u> <u>1989</u>	<u>For Y/E</u> <u>1990</u>	<u>For Y/E</u> <u>1991</u>	<u>For Y/E</u> <u>1992</u>	<u>For Y/E</u> <u>1993</u>
Library:					
Automatic Library					
Network	\$ 35,000	\$ 35,000			
North Branch roof	30,000				
D.P.W.:					
Replace 1983 GMC truck			\$ 25,700		
Replace 1974 front end loader		22,985			
Police Department:					
Paint and cork present building	0				
New police station			6,000,000		
Fire Department:					
Complete renovation of Landing station		650,000			
Rebuild ladder #1 (1974 truck)		75,000			
Replace pumper			160,000		
Replace pumper				\$160,000	
Replace fire alarm truck			75,000		
Board of Selectmen:					
Data Processing Equipment	207,400	198,050	188,700	\$179,350	
School Department:					
North High:					
Window repair	333,000	333,000			
Interior paint			170,000		
Lockers and shower stalls			30,000		
Restore tennis courts					27,000
Repair corridor lights				60,000	
Exterior waterproofing		75,000			
South High:					
Interior painting			40,000		
Lockers and shower stalls			35,000		
Repair tennis courts			28,000		
East Junior High:					
Hot water boiler				26,000	
Overhaul temp. control				100,000	

EXHIBIT B

CAPITAL BUDGET

REPORT (Cont.)

RECOMMENDATIONS (CONT.)

FISCAL YEARS 1988/89 to 1992/93

	For Y/E 1989	For Y/E 1990	For Y/E 1991	For Y/E 1992	For Y/E 1993
South Junior:					
Floor tile			\$ 27,000		
Repair boiler	\$ 150,000				
Replace corridor lights			27,000		
Academy Ave.:					
Interior painting			25,000		
Window replacement		\$ 75,000			
Fulton:					
Sewer system			40,000		
Interior painting			25,000		
Exterior painting			27,000		
Refurbish restrooms				\$ 25,000	
Hunt:					
Interior painting			40,000		
Refurbish restrooms				25,000	
Johnson:					
Boiler replacement	90,000				
Interior painting			25,000		
Pingree:					
Window replacement	137,000				
Ceiling light replace			32,000		
Seach:					
Window replacement	32,000				
Talbot:					
Boiler replacement	94,000				
Legion Field:					
General work					\$1,000,000
All Schools:					
Asphalt replacement				200,000	
Repair athletic fields					500,000
Exterior and interior door replacement				200,000	
E. Junior roof-5 yr. plan	85,000	85,000	85,000	85,000	85,000
	<u>\$1,193,400</u>	<u>\$1,549,035</u>	<u>\$7,105,400</u>	<u>\$ 900,350</u>	<u>\$1,772,000</u>

EXHIBIT B

CAPITAL BUDGET

REPORT (Cont.)

WEYMOUTH DEBT SERVICE

<u>Fiscal Year</u>	<u>Total</u>	<u>Annual Decrease</u>	<u>Accumulated Decrease</u>
1986/87	\$2,762,600		
1987/88	2,641,765	\$ 120,835	\$ 120,835
1988/89	2,246,860	394,905	515,740
1989/90	1,862,640	384,220	899,960
1990/91	1,767,480	95,160	995,120
1991/92	1,592,465	175,015	1,170,135
1992/93	1,488,942	103,523	1,273,658

The total amount above does not include Water Department bonds that are paid out of water revenue.

WARRANT FOR THE ANNUAL TOWN MEETING



MONDAY, THE FOURTH DAY OF MAY, 1987
Commonwealth of Massachusetts

NORFOLK, ss:

To any of the Constables of the Town of Weymouth in said County

GREETINGS:

In the name of the Commonwealth of Massachusetts, you are hereby required to notify and warn the inhabitants of Weymouth aforesaid qualified to vote in Town affairs to meet in the Daniel L. O'Donnell Auditorium of the Weymouth North High School, 1051 Commercial Street, East Weymouth on

MONDAY, THE FOURTH DAY OF MAY, 1987

at seven o'clock and thirty minutes in the evening, then and there to act upon the following articles, namely:

ARTICLE 1: BUDGET (By Direction of the Board of Selectmen at the Request of the Appropriation Committee): To see what sums of money the Town will vote to raise by taxation, transfer from available funds and/or borrow and appropriate for the salaries, operation and expenses during the fiscal year 1988 of each of the Town Departments and activities, and to determine in each case how and under whose direction the money would be expended; to fix such salaries as required to be fixed by the Town Meeting; or take any other action in relation thereto.

RECOMMENDED: To provide for all expenses of maintenance and operation of each of the Town's several departments and activities for the fiscal year, the several sums hereinafter set forth are hereby appropriated for the several purposes and subject to the conditions specified, and all such sums to be raised by taxation in the levy of the current year, unless other sources of revenue is expressed.

TOWN OF WEYMOUTH

ANNUAL OPERATING BUDGET

000	General Government	Expended 1986	Appropriated 1987	Recommended 1988
003	Selectmen			
5100	- Salaries	110,332	148,059	150,770
5270	- Hall Rentals	2,908	5,000	2,500
5700	- Expenses	16,946	18,410	19,315
5701	- Parking Tickets Adm.	3,041	3,000	3,200
5702	- Annual Audit	-0-	-0-	38,000
5705	- Selectmens Expense	-0-	-0-	2,375
5720	- Out of State Travel	335	-0-	-0-
TOTAL		133,562	174,469	216,160
				<i>219,617</i>
009	Moderator			
5700	- Salary	300	300	300
TOTAL		300	300	300
011	Appropriation Committee			
5100	- Salaries	3,025	3,025	3,025
5700	- Expenses	5,050	7,000	9,000
TOTAL		8,075	10,025	12,025
012	Capital Budget Committee			
5700	- Expenses	-0-	500	500
TOTAL		-0-	500	500
013	Reserve Fund			
5700	- Reserve Fund	-0-	300,000	300,000
TOTAL		-0-	300,000	300,000
The total sum of \$300,000 shall be provided from the Fund Balance Reserved for Unforseen and Extraordinary Expenses.				
014	Town Maint. Study Comm.			
5700	- Expenses	30	-0-	500
TOTAL		30	-0-	500
015	Elections			
5100	- Officers & Janitors	8,372	25,055	33,632
5700	- Expenses	8,298	20,000	19,000
5799	- Maintenance	986	4,000	2,500
TOTAL		17,656	49,055	55,132
017	Registrars			
5100	- Salaries	20,819	20,867	20,492
5700	- Expenses	24,827	24,000	25,000
TOTAL		45,646	44,867	45,492
025	Accounting			
5100	- Salaries	82,326	80,528	87,978
5700	- Expenses	8,264	7,566	9,100
5720	- Out of State Travel	-0-	750	1,000
5850	- New Equipment	-0-	-0-	620
TOTAL		90,590	88,844	98,698

	Expended 1986	Appropriated 1987	Recommended 1988
029 Assessors			
5100 - Salaries	129,521	127,537	142,088
5304 - Appellate Cases	7,228	10,000	10,000
5308 - Data Processing	18,479	-0-	22,340
5700 - Expenses	7,969	43,378	16,650
5701 - Data Conversion	0	10,000	10,000
5710 - Transportation	1,800	1,800	1,800
5720 - Out of State Travel	1,200	-0-	-0-
TOTAL	166,197	192,715	202,878
033 Tax Collector			
5100 - Salaries	120,439	115,374	124,415
5308 - Data Processing	23,820	26,210	28,510
5700 - Expenses	37,055	11,420	16,648
5701 - Postage	0	22,650	21,441
TOTAL	181,314	175,654	190,054
035 Treasurer			
5100 - Salaries	98,658	101,531	102,254
5700 - Expenses	17,293	19,900	19,700
5701 - Preparation of Bonds	28,995	-0-	35,000
5702 - Bank Service Charges	-0-	25,000	25,000
TOTAL	144,946	146,431	181,954
037 Tax Titles			
5700 - Tax Titles	15,436	15,000	15,000
TOTAL	15,436	15,000	15,000
039 Town Clerk			
5100 - Salaries	88,142	87,422	88,119
5700 - Expenses	10,222	8,500	8,500
5701 - Update By-Laws	3,950	2,500	3,000
TOTAL	102,314	98,422	99,619
045 Legal Department			
5100 - Salaries	28,800	28,800	28,800
5300 - Trial of Cases	75,041	40,000	40,000
5305 - Negotiating	4,628	10,000	10,000
TOTAL	108,469	78,800	78,800
047 Personnel Board			
5100 - Salaries	6,568	6,487	7,071
5700 - Expenses	2,109	2,813	730
5701 - Survey Expenses	-0-	-0-	2,500
TOTAL	8,677	9,300	10,301
051 Data Processing			
5100 - Salaries	119,819	114,072	132,639
5700 - Expenses	103,894	121,701	87,615
TOTAL	223,713	235,773	220,254
057 Compensation Agent			
5100 - Salary	2,306	2,306	2,306
5700 - Expenses	900	900	900
TOTAL	3,206	3,206	3,206

	Expended 1986	Appropriated 1987	Recommended 1988
063 Planning Board			
5100 - Salaries	120,973	128,812	131,996
5700 - Expenses	2,652	3,250	5,000
5701 - Advertising	2,420	2,500	2,500
5710 - Transportation	336	450	900
TOTAL	126,381	135,012	140,396
065 Town Hall & Annex			
5100 - Salaries	40,942	38,204	37,021
5700 - Expenses	70,913	72,650	67,275
5193 - Clothing Allowance	-0-	97	100
TOTAL	111,855	110,854	104,396
066 Maintenance of The McCulloch Bldg. and the Central Bldg.			
5700 - Expenses	48,399	36,300	5,200
TOTAL	48,399	36,300	5,200
069 Damages and Judgments			
5700 - Judgments	88,020	25,000	25,000
070			
5700 - Medical Expenses	120,178	100,000	100,000
TOTAL	208,198	125,000	125,000
070 Pensions, Benefits & Insurance			
071-5700 Contributory Retirement System	3,254,000	2,842,410	2,785,000
072-5700 Non-Contributory Pensions	187,302	200,000	185,000
073-5700 Workmen's Compensation	73,931	100,000	100,000
074-5700 Industrial Accident Board Cases	20,381	50,000	100,000
075-5700 Unemployment Benefits	96,263	100,000	100,000
077-5700 Health Insurance	1,422,429	1,545,000	1,830,000
(Of the total sum, \$1,830,000 shall come from Free Cash)			
077-5701 Life Insurance	19,422	18,000	18,000
077-5702 Medicare Insurance	-0-	-0-	33,000
081-5700 Fire, Motor Vehicle & Other Insurance	356,124	533,000	533,000
TOTAL	1,429,852	5,388,410	5,684,000
100 Public Safety			
101 Police			
5100 - Salaries	3,286,387	3,378,843	3,353,313
5130 - Overtime	273,277	285,920	250,000
5131 - Training	-0-	-0-	30,000
5193 - Uniform Allowance	56,400	60,400	61,200
5700 - Expenses	240,075	230,905	237,657
5799 - Maintenance	3,399	4,000	15,200
5850 - New Equipment	79,800	110,600	103,000
5101 - Salaries - Traffic Super.	-0-	-0-	126,826
TOTAL	3,939,338	4,070,668	4,177,195

	Expended 1986	Appropriated 1987	Recommended 1988
103 Fire			
5100 - Salaries	3,263,952	3,289,470	3,285,279
5130 - Overtime Salaries	96,626	150,840	150,000
5193 - Uniform Allowance	44,964	49,750	49,775
5700 - Expenses	130,434	135,500	152,295
5701 - Refurbish Equipment	22,500	-0-	-0-
5702 - Lease Telephone Equipment	1,511	3,800	3,800
5705 - Education Reimbursement	-0-	-0-	2,500
5720 - Out of State Travel	675	695	775
5850 - New Equipment	11,490	-0-	26,400
5851 - Lease Pumping Engine	-0-	113,832	-0-
TOTAL	3,572,152	3,743,887	3,670,824
111 Harbormaster			
5100 - Salary	25,546	31,366	34,126
5700 - Expenses	10,044	5,000	5,000
TOTAL	35,590	36,366	39,126
113 Building Inspector			
5100 - Salaries	216,397	241,202	266,995
5700 - Expenses	9,145	7,355	6,835
5710 - Transportation	8,598	10,000	17,600
5720 - Out of State Travel	-0-	1,000	1,000
TOTAL	234,140	259,557	292,430
119 Sealer			
5100 - Salary	6,598	6,598	6,598
5700 - Expenses	363	400	400
5710 - Transportation	772	775	775
TOTAL	7,733	7,773	7,773
131 Civil Defense			
5700 - Expenses	2,275	2,000	2,500
TOTAL	2,275	2,000	2,500
133 Dog Officer			
5100 - Salaries	45,854	49,269	49,449
5700 - Expenses	28,665	16,850	18,515
5720 - Out of State Travel	243	-0-250	250
TOTAL	74,762	66,119	68,234
200 Education			
5700 - Administration	24,646,862	24,880,937	26,182,639
The School Committee is further authorized to expend the following sums from Federal and other sources. (Amounts to be deducted from above):			
Public Law 874 Funds	(\$150,560)	(\$141,000)	(\$140,000)
Evening Schools	(\$55,298)	(\$60,608)	(\$65,365)
Summer School	(\$12,959)	(\$15,000)	(\$12,555)
TOTAL	\$24,173,511	\$24,880,957	\$25,964,719

28,954,251

	Expended 1985	Appropriated 1986	Recommended 1987
300 Department of Public Works			
5100 - Salaries	1,569,182	1,606,629	1,603,241
5193 - Uniform Allowance	11,267	12,200	13,176
5700 - Expenses	2,134,113,	2,192,345	3,553,210
5720 - Out of State Travel	-0-	750	1,000
5850 - Equipment	160,933	171,500	158,900
TOTAL	3,875,495	3,983,424	5,329,527
305 Snow Removal			
5700 - Expenses	35,594	74,500	78,500
TOTAL	35,594	74,500	78,500
307 Street Lighting			
5700 - Expenses	339,192	350,000	350,000
TOTAL	339,192	350,000	350,000
480 Other Environmental:			
481 Historical Commission			
5700 - Expenses	996	1,350	1,125
TOTAL	996	1,350	1,125
487 Conservation Commission			
5100 - Salaries	-0-	3,292	5,944
5700 - Expenses	2,497	3,906	3,495
5710 - Transportation	635	600	750
TOTAL	3,132	7,798	10,189
489 Alewife Fishery			
5700 - Expenses	135	440	440
TOTAL	135	440	440
491 Beautification Committee			
5700 - Expenses	-0-	2,420	3,330
TOTAL	-0-	2,420	3,330
500 Human Services:			
501 Health Department			
5100 - Salaries	181,778	186,718	200,693
5700 - Expenses	7,878	8,536	8,450
5710 - Transportation	8,527	9,248	9,360
TOTAL	198,183	240,502	218,503
531 Council On Aging			<i>56,997</i>
5100 - Salaries	37,122	46,476	49,497
5700 - Expenses	16,600	18,285	39,075
TOTAL	53,722	64,761	88,522
541 Youth Office			<i>96,072</i>
5100 - Salaries	48,990	44,536	46,084
5101 - Outreach Salaries	-0-	55,148	63,936
5102 - 4-P Funding Grant	-0-	-0-	8,000
5700 - Expenses	4,846	5,826	5,826
5701 - Outreach Expenses	19,230	3,000	3,000
5710 - Transportation	1,427	1,440	1,440
TOTAL	74,493	109,950	128,826

128,286

	Expended 1986	Appropriated 1987	Recommended 1988
551 Veterans Services			
5100 - Salaries	65,154	63,930	63,855
5700 - Expenses	1,393	1,400	1,400
5710 - Transportation	1,390	1,500	1,500
5770 - Benefits	198,702	230,000	230,000
TOTAL	266,639	296,830	296,755
571 Care of Old Cemeteries			
5700 - Expenses	1,994	2,000	2,000
TOTAL	1,994	2,000	2,000
572 Care of Veterans Graves			
5700 - Expenses	2,890	2,890	2,890
TOTAL	2,890	2,890	2,890
573 Civil War Memorial			
5700 - Expenses	200	200	200
TOTAL	200	200	200
581 Hall Rentals-Civic Groups			
5700 - Expenses	21,023	22,922	24,068
TOTAL	21,023	22,922	24,068
600 Culture & Recreation			
601 Library			
5100 - Salaries	485,764	494,468	511,122
5300 - Automation	-0-	35,000	35,000
5510 - Books and Related Materials	57,000	72,400	74,600
5700 - Expenses	70,135	72,645	72,650
5799 Maintenance	1,319	3,500	5,000
5850 - New Equipment	1,456	7,500	-0-
TOTAL	615,674	685,513	698,372
Of the total sum, \$88,000 shall be provided from receipts reserved for Appropriation-state aid to libraries.			
621 Recreation			
5100 - Salaries	263,882	298,362	306,889
5270 Hall Rentals	21,768	24,000	24,000
5700 Expenses	15,516	23,795	21,396
5701 - Negus Park Expense	-0-	-0-	6,000
5710 - Transportation	3,982	3,600	3,600
5782 - Recreation Programs	41,842	47,055	47,065
5850 - New Equipment	5,796	8,715	9,300
TOTAL	352,786	405,527	418,250
638 Great Esker			
5100 - Salaries	31,719	31,056	32,468
5700 - Expenses	6,649	19,700	6,600
5850 - Equipment	-0-	-0-	12,500
TOTAL	38,368	50,756	51,568
643 Memorial/Veterans' Days			
5700 - Expenses	4,000	5,000	5,000
TOTAL	4,000	5,000	5,000

	Expended 1986	Appropriated 1987	Recommended 1988
644 Fourth of July			
5700 - Expenses	3,000	3,000	10,382
TOTAL	3,000	3,000	10,382

649 Wey/Bra Reg. Rec. Cons. Dist.			
5700 - Expenses	29,354	33,320	38,472
TOTAL	29,354	33,320	38,472

700 Debt Service			
701 Retirement of Debt			
5910 - Principal	1,730,000	1,795,000	1,780,000
TOTAL	1,730,000	1,795,000	1,780,000

Of the total sum, \$374,602 from free cash, and \$113,383 from Receipts Reserved for Appropriation, Maturing Debt. *AND 267, 727*

721 Retirement of Debt			
5915 - Interest	847,655	796,401	785,365
TOTAL	847,655	796,401	785,365

Of the total sum, \$23,565 shall be provided from Receipts Reserved for Appropriation, Maturing Debt.

741 Short Term Notes			
5925 - Interest	2,536	125,000	125,000
TOTAL	2,536	125,000	125,000

900 Unclassified			
5786 - Dues Mass. Municipal Assoc.	4,805	5,142	5,142 + <i>1,000</i>
5101 - Reserve Salary Account*	-0-	927,619	1,862,146
5102 - Salary Adjust. Included in Budget*	-0-	687,937	1,800,412 <i>1,600,412</i>
5104 - Reserved Salary Acct.-Art. 2	-0-	11,000	-0-
TOTAL	4,805	1,631,698	3,667,700

27 Sewer			
5100 - Salaries	309,106	348,918	356,119
5700 - Expenses	221,944	274,750	284,650
5850 - Equipment	17,585	17,000	3,000
5910 - Debt Retirement	-0-	171,200	166,400
TOTAL	548,635	811,868	810,949

The total sum of \$810,969 shall be provided from Sewer Department Revenue. *6*

61 Water			
5702 - Salaries & Expenses	1,797,318	1,871,510	2,132,489
5910 - Debt Retirement	289,128	469,228	381,598
5850 - Equipment	-0-	42,000	60,000
5720- Out-of-State Travel	-0-	600	600
TOTAL	2,086,446	2,383,338	2,574,687

The total sum of \$2,574,687 shall be provided from Water Department Revenue.

GRAND TOTAL	50,824,615	54,336,652	59,513,276
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*Due to printing time constraints, approved salary increases are not included in individual budgets except for Sewer and Water Departments. *59,517,233*
59,524,733

✓ ARTICLE 2: (By Request of the Personnel Board): To see if the Town will vote to amend the Code of the Town of Weymouth Chapter 32 PERSONNEL POLICIES, by accepting changes in the Classification Plan; or take any other action in relation thereto.

RECOMMENDED: Favorable Action, refer to Appendix A.

✓ ARTICLE 3: (By Request of the Personnel Board): To see if the Town will vote to amend the Code of the Town of Weymouth Chapter 32 PERSONNEL POLICIES, by accepting changes in the Compensation Pay Plan, and further to see what sum of money the Town will vote to raise by taxation, transfer from available funds, and/or borrow and appropriate for the purpose of implementing any such changes in said PERSONNEL POLICIES; or take any other action in relation thereto.

RECOMMENDED: Favorable Action and the sum of \$213,957 be appropriated for the purpose of funding Classifications, Reclassifications, and a five percent (5%) salary increase for non-union employees effective July 1, 1987 as shown in Appendix A of this Town Meeting Warrant. Further that to meet said appropriation, \$203,432 from tax levy, \$3947 from Sewer Revenues and \$6578 from Water Revenues be transferred to a Reserve Salary Account and the Town Accountant be authorized and directed to allocate such sums to the respective departments.

✓ ARTICLE 4: (By Request of the Appropriation Committee): To see what sum of money the Town will vote to raise and appropriate by taxation, transfer from available funds and/or borrow for the purpose of increasing the present salaries of the Town Clerk, Town Treasurer and Collector of Taxes in an amount commensurate with the percentage increases bargained with other town employees and to be presented to the Annual Town Meeting; or take any other action in relation thereto.

RECOMMENDED: Favorable Action and the salaries of the Tax Collector, Treasurer and Town Clerk be set at \$37,453 and that the sum of \$5,349 from tax levy be applied to the following line numbers and amounts:

Tax Collector	033-5100	\$1,783
Treasurer	035-5100	1,783
Town Clerk	039-5100	1,783
		<hr/>
		\$5,349

This represents a five percent (5%) salary increase which is commesurate with the other non-union personnel.

✓ ARTICLE 5: (By Direction of the Board of Selectmen): To see if the Town will vote to authorize the Town Treasurer, with the approval of the Board of Selectmen, to borrow money from time to time in anticipation of the revenue of the financial year beginning July 1, 1987 in accordance with the provisions of the General Laws, Chapter 44, Section 4 and to issue a note or notes as may be given for a period of less than one year in accordance with General Laws Chapter 44, Section 17; Further to see whether the town will authorize the Treasurer to enter in compensating balance agreements during fiscal 1988, as permitted by General Laws Chapter 44, Section 53F; Further to see whether the Town will authorize the Treasurer to establish procedures for the recovery of employee pension costs from federal grant monies and to transfer to the Pension Reserve Fund of the Weymouth Contributory Retirement System an amount equal to the future pension costs which are incurred because of the federal grant in accordance with the provisions of the General Laws Chapter 40, Section 5D; or take any other action in relation thereto.

RECOMMENDED: Favorable Action

✓ ARTICLE 6: (By Direction of the Board of Selectmen): To take any action the Town may desire upon the reports of several Boards and Committees and to change or appoint any committee that the Town deems proper.

RECOMMENDED: Favorable Action

✓ ARTICLE 7: (By Direction of the Board of Selectmen): To see if the Town will vote to accept the reports of the Selectmen laying out as a Town way the following designated private way and/or part of way to wit:

WESTERN AVENUE

SIMONDS LANE

~~PORTION OF MIDDLE STREET - DELETED~~

GOODROW ROAD

INMAN ROAD

and will authorize the Board of Selectmen to acquire by gift or purchase, or take by right of eminent domain in fee or otherwise, for all purposes a public street and highway in and over said streets as laid out and accepted; and to see what sum of money the Town will vote to raise and appropriate for the working of each of the above streets, including the acquisition of the fee or any interests referred to above, and for the building of any bridges, drains and conduits or securing easements which may be necessary in connection therewith; and to see whether the Town will authorize the Board of Selectmen to accept deeds or any reservation strips existing in connection with these streets; or take any other action in relation thereto.

RECOMMENDED: Favorable Action, no funding, refer to Appendix C.

✓ ARTICLE 8: (By Direction of the Board of Selectmen): To see what sum of money the Town will vote from surplus revenue for the use of the Assessors in determining the tax rate for the fiscal year ending June 30, 1988; or take any other action in relation thereto.

RECOMMENDED: No Action

✓ ARTICLE 9: (By Direction of the Board of Selectmen): To see if the Town will vote to raise and appropriate by taxation, transfer from available funds and/or borrow for the purpose of hiring an insurance risk consultant firm to review the liability insurance policies of the Town or take any other action in relation thereto.

RECOMMENDED: No Action 76,000

This request was funded with a Reserve Fund Transfer.

✓ ARTICLE 10: (By Direction of the Board of Selectmen): To see if the Town will vote to raise and appropriate by taxation, transfer from available funds and/or borrow for the purpose of purchasing and/or leasing computer hardware and related user and application software and related costs, and further, to see if the Town will vote to raise and appropriate from tax levy, or transfer from available funds and/or borrow a sum of money for consulting services during the implementation phase of the conversion to data processing; or take any other action in relation thereto.

RECOMMENDED: Defer to Town Meeting.

The appropriate committees and boards have not yet finalized the Data Processing Plan to be implemented. It is expected to be completed before Town Meeting and cost between 1 and 1.3 million dollars and may add additional staff to the Data Processing Department. This funding would be done with a five year bond issue. Of particular concern is that be, adequately funded and meets the needs and requirements of ALL departments.

✓ ARTICLE 11: (By Direction of the Board of Selectmen): To see if the Town will vote to support the participation of the Town of Weymouth in the Suburban Transportation Program of the Massachusetts Bay Transportation Authority, and to see if the Town will vote to raise and appropriate from taxation, transfer from available funds and/or borrow a sum of money to fund the net of cost of the service (65 percent of the net cost of service up to a maximum of \$80,000 to be awarded by a grant from the Massachusetts Bay Transportation Authority); or take any other action in relation thereto.

RECOMMENDED: Favorable Action and the sum of \$85,478 from tax levy.

This will fund the WEYBUS System through Fiscal Year 1988. This is to

be the trial period. The Annual Town Meeting of May, 1988 will be asked to continue or discontinue this service based upon results of the trial period. The total cost of this trial period is \$266,478 which includes an \$80,000 MBTA Reimbursement and the remainder from town funds. Please, help to make this successful!

✓ ARTICLE 12: (By Request of the Weymouth-Braintree Regional Conservation District): To see if the Town will vote to raise and appropriate by taxation, transfer from available funds and/or borrow for the purpose of constructing a visitor's center including a comfort station and classroom plus park improvements, subject to 90% reimbursement from the Office of Environmental Affairs, or take any other action in relation thereto.

RECOMMENDED: No Action.

The proponents of this article have requested that it be withdrawn.

✓ ARTICLE 13: (By Request of the Town Accountant): To see what sum of money the Town will vote to raise and appropriate from taxation for the purpose of funding the charge for sewer disposal services from the Massachusetts Water Resources Authority for fiscal 1988; or take any other action in relation thereto.

RECOMMENDED: Favorable Action and the sum of \$1,627,130 from tax levy.

This sum is the mandated amount the town is required to pay to the Massachusetts Water Resources Authority.

✓ ARTICLE 14: (By Request of the Town Accountant): To see if the Town will vote to raise and appropriate from tax levy or transfer from available funds the sum of \$65,000, or any other sum, to a Salary Accrual Account for the purpose of anticipating one-sixth of the costs of 53 weekly pay periods in fiscal 1992; or take any other action in relation thereto.

RECOMMENDED: Favorable Action and the sum of \$65,000 from tax levy.

✓ ARTICLE 15: (By Request of the Town Accountant): To see what sum of money the Town will vote to expend from Fund Balance Reserved for Unforeseen or Extraordinary Expenses (Overlay Surplus) for the purpose of funding unforeseen or extraordinary expenses for fiscal 1987; or take any other other action in relation thereto.

RECOMMENDED: Defer to Town Meeting.

✓ ARTICLE 16: (By Request of the Town Accountant): To see what sum of money the Town will vote to raise and appropriate by taxation or transfer from available funds for the purpose of funding Unpaid Bills (Account 900-5781) or Overdrafts (Account 900-5782); or take any other action in relation thereto.

RECOMMENDED: Defer to Town Meeting.

✓ ARTICLE 17: (By Direction of the Board of Selectmen): To see if the Town will vote to accept the provisions of Section 8J of Chapter 40 of the Massachusetts General Laws which provide for the establishment of a Handicapped Commission and further to see what sum of money the Town will vote to raise and appropriate by taxation, transfer from available funds and/or borrow and appropriate for the purpose of establishing an operating budget; or take any other action in relation thereto.

RECOMMENDED: Favorable Action, no funding, refer to Appendix D.

✓ ARTICLE 18: (By Direction of the Board of Selectmen): To see what sum of money the Town will vote to raise and appropriate from taxation, transfer from available funds and/or borrow and appropriate for consulting services to determine structural modifications to town buildings for handicapped accessibility to comply with Section 504 of Federal Regulations; or take any other action in relation thereto.

RECOMMENDED: No Action.

This will be funded with CBDG funds.

✓ ARTICLE 19: (By Request of the Town Maintenance Study Committee): To see what sum of money the Town will vote to raise and appropriate by taxation, transfer from available funds and/or borrow for consulting services to study the extraordinary maintenance costs of Town buildings; or take any other action in relation thereto.

RECOMMENDED: Favorable Action and the sum of \$160,000 from tax levy.

✓ ARTICLE 20: (By Request of the Planning Board and the Department of Public Works): To see if the Town will vote to raise an amount of one hundred sixty-five thousand, three hundred twenty-five dollars (\$165,325.00) by taxation, transfer from available funds, and/or borrow and appropriate for the purpose of applying as the Town's local share of a Clean Lakes Grant for the restoration of Whitman's Pond; or take any other action in relation thereto.

RECOMMENDED: Favorable Action and the sum of \$165,325 from Water Revenue.

✓ ARTICLE 21: (By Request of the Board of Public Works): - Common Sewers - To see what sum of money the Town will vote to raise and appropriate by taxation, transfer from available funds, including sewer assessment funds, and/or borrow for the construction and/or reconstruction of common sewers; or take any other action in relation thereto.

RECOMMENDED: No Action.

✓ ARTICLE 22: (By Request of the Board of Public Works): - Particular Sewers - To see what sum of money the Town will vote to raise and appropriate by taxation, transfer from available funds, including sewer assessment funds and/or borrow for the construction of particular sewers; or take any other action in relation thereto.

RECOMMENDED: Favorable Action and the sum of \$60,000 from the Common Sewer Construction Account.

✓ ARTICLE 23: (By Request of the Board of Public Works): - Secondary Drainage - To see what sum of money the Town will vote to raise and appropriate by taxation, transfer from available funds, and/or borrow for the installation of drainage pipe and appurtenances in various public ways of the Town of Weymouth; or take any other action in relation thereto.

RECOMMENDED: Favorable Action and the sum of \$25,000 from tax levy.

✓ ARTICLE 24: (By Request of the Board of Public Works): - Water Main Improvements - To see what sum of money the Town will vote to raise and appropriate by taxation, transfer from available funds, and/or borrow for the Town's share of a State Grant to conduct a Leak Detection Survey/Water Audit of the Water Distribution System; or take any other action in relation thereto.

RECOMMENDED: Favorable Action and the sum of \$69,000 from Water Revenue.

✓ ARTICLE 25: (By Request of the Board of Public Works): - Dutch Elm Disease - To see what sum of money the Town will vote to raise and appropriate by taxation, transfer from available funds, and/or borrow for Dutch Elm Disease Control; or take any other action in relation thereto.

✓ **RECOMMENDED: Favorable Action and the sum of \$5,000 from tax levy.**

ARTICLE 26: (By Request of the Board of Public Works): - Highway Taking - To see what sum of money the Town will vote to transfer from available funds appropriated from Art. 14 ATM 1986, for the purpose of acquiring by gift, purchase, or take by right of eminent domain in fee, a strip of land at the intersection of Pine and Oak Streets, in accordance with Chapter 79 of the General Laws, for the purpose of sidewalk installation on Pine Street, as voted under Art. 14 ATM 1986; or take any other action in relation thereto. For a more particular description of the parcel of land involved, see plan of same by John H. Morse, Town Engineer, numbered 4218-B, duly filed in the Office of the Town Clerk.

RECOMMENDED: Favorable Action, no funding, refer to Appendix E.

✓ ARTICLE 27: (By Request of the Board of Public Works): - Highway Taking - To see if the Town will accept by gift or take by right of eminent domain in fee, a strip of land along a portion of Middle Street at Washington Street, in accordance with Chapter 79 of the General Laws, for the purpose of widening a portion of Middle Street; or take any other action in relation thereto. For a more particular description of the parcel of land involved, see plan of same by H.W. Moore Associates, numbered 4228-B, duly filed in the Office of the Town Clerk.

RECOMMENDED: Favorable Action, no funding, refer to Appendix F.

✓ ARTICLE 28: (By Request of the Board of Public Works): - Shore Protection - To see what sum of money the Town will vote to raise and appropriate by taxation, transfer from available funds, and/or borrow for the construction of seawalls in the Saunders Street area and other shore areas, repair, grouting and maintenance of the seawall footings and stone groins, work to be done by private contract under the direction of the Board of Public Works and/or State Department of Environmental Management, Division of Waterways, under Chapter 723 of the Acts of 1983 of the General Laws; or take any other action in relation thereto. Further, to see if the Town will vote to assume liability in the manner provided by Section 29 of Chapter 91 of the General Laws, as amended by Chapter 516 and 524, Acts of 1950, for all damages that may be incurred by work to be performed by the Department of Environmental Management, Division of Waterways, for the improvement, development, maintenance and protection of tidal and non-tidal rivers and streams, harbors, tidewaters, foreshores, and shores along a public beach outside of Boston Harbor, in accordance with Section II of Chapter 91 of the General Laws, and authorize the Board of Selectmen to execute and deliver a bond or indemnity therefor to the Commonwealth; or take any other action in relation thereto.

RECOMMENDED: Favorable Action and the sum of \$58,087 from the Seawall account, refer to Appendix G.

✓ ARTICLE 29: (By Request of the Board of Public Works): - Solid Waste - To see if the Town will vote to approve a proposal for an Energy Resource Recovery Plant and to authorize the Board of Public Works to enter into a contract and/or lease for the use of the incinerator building and the land shown on the Assessors Maps as Lot 2, Block 172, Sheets 15 & 19, on which said incinerator is located, for the purpose of disposal of solid waste; and further to see what sum of money the Town will vote to raise and appropriate by taxation, transfer from available funds and/or borrow for this purpose; or take any other action in relation thereto.

RECOMMENDED: Refer to a future Town Meeting, see Appendix H.

↓ ARTICLE 30: (By petition of Residents of Paomet Road and Request of the Board of Public Works): To see what sum of money the Town will vote to raise by taxation, transfer from available funds, and/or borrow and appropriate for the purpose of reconstructing the public way portion of Paomet Road and sections of Wessagusset and Wituwamut Roads; or take any other action in relation thereto.

RECOMMENDED: Favorable Action and the sum of \$30,000. \$10,079 from the Street Acceptance Account - Sinden Place and 19,921 from tax levy. Refer to Appendix I.

✓ ARTICLE 31: (By Request of the School Committee): To see what sum of money the Town will vote to raise by taxation, transfer from available funds, and/or borrow and appropriate for the purpose of making extraordinary repairs to Town school buildings, work to be done under the direction of the School Committee; or take any other action in relation thereto.

RECOMMENDED: That the Town appropriate \$1,825,000 for the purpose of remodeling, reconstructing or making extraordinary repairs to the various school buildings; that the Treasurer, with the approval of the Board of Selectmen, is authorized to borrow \$1,825,000 pursuant to Section 7 of Chapter 44 (M.G.L.) or Chapter 645 of the Acts of 1948, as amended; that the School Committee is authorized to enter into all contracts required to carry out the purpose of this vote and to apply for any state or federal aid which may be available for said purposes. Further said sums shall be expended only on the items listed in Appendix J. The window replacement at North High shall have the least priority in order that all other items may be completed.

Approved
ARTICLE 32: (By Request of the School Committee): To see what sum of money the Town will vote to raise by taxation, transfer from available funds, and/or borrow and appropriate for the purpose of installing floodlights at Legion Field, or take any other action in relation thereto.

RECOMMENDED: No Action.

This has been referred to the Town Wide Maintenance Study Committee and is included in their scope.

↓ ARTICLE 33: (By Request of the School Committee): To see if the Town will vote to accept the provisions of Chapter 194 of the Acts of 1986, an Act authorizing a city or town to establish a scholarship fund; or take any other action in relation thereto.

RECOMMENDED: No Action.

Although commendable in its concept, the town computer facilities and collection processing are not prepared this to act on this. The various parties involved should form a task force to address all the issues and formulate a plan that can be implemented, then return to a future town meeting for appropriate action. Refer to Appendix K.

✓ ARTICLE 34: (By Request of the School Committee): To see if the Town will vote to accept an Equal Educational Opportunity Grant pursuant to M.G.L. c.70A as inserted by St.1985 c.188 for 1987-1988 school year; or take any other action in relation thereto.

RECOMMENDED: Favorable Action.

✓ ARTICLE 35: (By Request of the Park Commission): To see what sum of money the Town will vote to raise by taxation, transfer from available funds, and/or borrow and appropriate for the purpose of installing three (3) barrier gates, one at the entrance of William E. Newell Park, the second at the entrance to Bradford Hawes Park and the third at the entrance to Sarah E. Brassill Park; or take any other action in relation thereto.

RECOMMENDED: Favorable Action and the sum of \$9,000 from tax levy.

✓ ARTICLE 36: (By Request of the Park Commission): To see what sum of money the Town will vote to raise by taxation, transfer from available funds, and/or borrow and appropriate for the purpose of completing the resurfacing of the service road in the south end of Great Esker Park; or take any other action in relation thereto.

RECOMMENDED: Favorable Action and the sum of \$14,000 from tax levy.

This is for resurfacing 3500 feet of roadway, 10 feet wide.

✓ ARTICLE 37: (By Request of the Park Commission): To see what sum of money the Town will vote to raise by taxation, transfer from available funds, and/or borrow and appropriate for the purpose of redeveloping the athletic fields at Bicknell; or take any other action in relation thereto.

RECOMMENDED: Favorable Action and the sum of \$35,176 from tax levy.

✓ ARTICLE 38: (By Request of the Park Commission): To see what sum of money the Town will vote to raise by taxation, transfer from available funds, and/or borrow and appropriate for the purpose of restoration and beautification of Great Hill; or take any other action in relation thereto.

RECOMMENDED: No Action.

The Park Commission is seeking CDBG funds to do this and has asked this article be withdrawn.

✓ ARTICLE 39: (By Request of the Park Commission): To see if the Town will vote to transfer the jurisdiction of Town of Weymouth land, shown on the Town Atlas as a portion of Lot 2, Block 220, Sheet 17 (See Appendix) from the Board of Selectmen to the Park Commission; or take any other action in relation thereto.

RECOMMENDED: Favorable Action, refer to Appendix L.

✓ ARTICLE 40: (By Request of the Park Commission): To see if the Town will vote to transfer the jurisdiction of Town of Weymouth land, shown on the Town Atlas as Lot 5, Block 220, Sheets 16, 17, 21 (See Appendix) from the Board of Selectmen to the Park Commission; or take any other action in relation thereto.

RECOMMENDED: Favorable Action, refer to Appendix L.

✓ ARTICLE 41: (By Request of the Board of Assessors): To see if the Town will vote to accept Section 3 of Chapter 73 of the Acts of 1986, as set forth in the Appendix to this Warrant, and further to see what sum of money the town will vote to raise by taxation, or transfer from available funds, including Assessors' Overlay Account, for the purpose of complying with said Chapter 73; or take any other action in relation thereto.

RECOMMENDED: Favorable Action, refer to Appendix M.

✓ ARTICLE 42: (By Request of the Board of Assessors): To see if the Town will vote to accept Section 1 of Chapter 73 of the Acts of 1986, as set forth in the Appendix to this Warrant, and further to see what sum of money the Town will vote to raise by taxation, or transfer from available funds, including Assessors' Overlay Account, for the purpose of complying with said Chapter 73; or take any other action in relation thereto.

RECOMMENDED: Favorable Action, refer to Appendix M.

✓ ARTICLE 43: (By Request of the Weymouth Retirement Board): To see if the Town will vote to authorize and direct the Weymouth Retirement Board to transfer all or a portion of the balance remaining in the investment income account as of December 31, 1986 into the Pension Fund of the Weymouth Retirement System as authorized by Section 28 of Chapter 661 of the Acts of 1983 which provides that the Board of Selectmen and the Town Meeting may so authorize and so direct such transfer to defray current pension obligations; or take any other action in relation thereto.

RECOMMENDED: Favorable Action and that \$338,000 be transferred.
This is the last time that these funds may be used under the present General Laws and only one third (1/3) of such funds.

✓ ARTICLE 44: (By Request of the Planning Board): To see what sum of money the Town will vote to raise and appropriate by taxation and/or

transfer from available funds for the purpose of acquiring by gift, purchase or take by right of eminent domain in fee or as otherwise specified, parcels of land along portions of Broad and Commercial Streets, in accordance with Chapter 79 of the General Laws, for the purpose of widening and reconstructing portions of said streets by the Commonwealth of Massachusetts under the Urban Systems Program; or take any other action in relation thereto. For a more particular description of the parcels of land involved, see plan of the same entitled "Plan of Alteration to Broad and Commercial Streets" by Congdon, Gurney & Towle, Inc., duly filed in the Office of the Town Clerk.

FAVORABLE ACTION - NO FUNDING

RECOMMENDED: No Action, refer to Appendix N.
CBDG funds will be used to accomplish request.

Failed
ARTICLE 45: (By Direction of the Board of Selectmen): To see if the Town will vote to accept the provision of Section 59 of Chapter 33 of the Massachusetts General Laws which provides that upon acceptance of said section by Town Meeting, "any person in the service of the Commonwealth, or of a county, city or town... shall be entitled, during the time of his service in the armed forces of the Commonwealth... to receive pay therefor, without loss of his ordinary remuneration as an employee or official of the Commonwealth, or of such county, city or town, and shall also be entitled to the same leaves of absence or vacation with pay given to other like employees or officials"; said acceptance shall be effective July 1, 1987; or take any other action in relation thereto.

RECOMMENDED: No Action, refer to Appendix O.

This was inserted as part of the Fire Union Collective Bargaining. It is covered in their contract and also addressed in the Personnel Bylaws of the town.

ARTICLE 46: (By Direction of the Board of Selectmen): To see if the Town will vote to amend the Town of Weymouth Building Construction By-Laws (Chapter 60 of the Code of the Town of Weymouth) with respect to updating the By-Law to conform to MGL Chapter 143 and 802, as amended, and 780 CMR - Massachusetts State Building Code by adopting the following amendments; or take any other action in relation thereto:

First:

Section 60-1.E.

by deleting the existing section and substituting a new section to read as follows:

"E. Technical assistants. In order to properly cover the duties of the Building Inspection Department, there shall be sufficient technical and clerical staff to insure proper enforcement of all building, zoning and related regulations mandated by the Town and the State."

Second:

Section 60-1.F.

by deleting the existing section and substituting a new section to read as follows:

“F. The Inspector of Wires, the Inspector of Plumbing and Gasfitting and their Deputies and clerical help shall be held accountable to the Inspector of Buildings.”

Third:

Section 60-4.B.

by deleting the existing section and substituting a new section to read as follows:

“B. Plans may be required for construction of all buildings to show compliance to all applicable codes and by-laws and any other such plans or details as may be deemed necessary by the Inspector of Buildings.”

Fourth:

Section 60-4.C.

by deleting in the seventh line, the words *“engineer or”* and by deleting the sentence *“It will be drawn on cloth in black India ink, scale one (1) inch equals forty (40) feet, size nine and one-half by fourteen (9½ x 14) inches.”*

Fifth:

Section 60-6.

by deleting the existing section and substituting a new section to read as follows:

“60-6. Fire Limits.

All areas, other than R-1, Low Density (single family) Residential Districts, as established by the Zoning Map of the Town of Weymouth, as amended, shall be considered inside the Fire Limits and subject to the applicable sections of 780 CMR-Massachusetts State Building Code.”

Sixth:

Section 60-11:

by deleting the existing section and substituting a new section to read as follows:

“60-11. Fees.

There shall be payable to the Town of Weymouth fees for building, electrical plumbing and gasfitting permits for the erection, alteration, demolition or moving of structures or building system. The fees shall be as set by the Board of Selectmen in accordance with 780 CMR-Massachusetts State Building Code.”

Seventh:

Section 60-12.

by deleting the existing section and reserving the space for future use.

Eighth:

Section 60-13.

by deleting the existing section and substituting a new section to read as follows:

*“60-13. Board of Appeals.
See 780 CMR, Section 126.0”*

Ninth:

Sections 60-14. and 60-15.

by deleting the existing section and reserving the space for future use.

RECOMMENDED: Favorable Action.

This brings the Town Bylaw into conformity with the State Building Code.

✓ ARTICLE 47: (By Direction of the Board of Selectmen): To see if the Town will vote to amend the Code of the Town of Weymouth By-Laws by adding the following Chapter; or take any other action in relation thereto.

**CHAPTER 7
BY-LAW REVIEW COMMITTEE**

A committee to be known as the By-Law Review Committee shall be established to be composed of the Town Clerk or his designee, the Town Counsel, a designee from the Personnel Board, and two designees of the Board of Selectmen, to study and report annually to the Town Meeting to update and review proposed amendments to the Code of the Town of Weymouth By-Laws.

RECOMMENDED: That a committee to be known as the Bylaw Review Committee shall be established to be composed of the Town Clerk or his designee, the Town Counsel, a designee from the Personnel Board, and four (4) citizens of the town appointed by the Moderator, to study and report annually to the Town Meeting, to update and review proposed amendments to the Code of the Town of Weymouth Bylaws.

✓ ARTICLE 48: (By Direction of the Board of Selectmen): To see if the Town will vote to amend the Town's By-Laws by replacing section 2-2A. of Chapter 2, Aging, Council for the, with the following:

2.2. Membership; appointment; terms of office.

A. The Council shall consist of eleven (11) members as follows: Chairman of the School Committee, Chairman of the Park Commission, Chairman of the Board of Health, Chairman of the Housing Authority, or their respective representatives, who shall be appointed by vote of the board or committee they are to represent and who shall hold office for terms of one (1) year. The remaining seven (7) members shall be appointed by the Board of Selectmen from residents and voters of the Town for initial terms of office as follows: three (3) for terms of one year, two (2) for terms of two (2) years; two (2) for terms of three (3) years.

and deleting Section 2-4 of Chapter 2 which reads as follows:

2-4. Appointment of clerks and employees.

The Council may appoint such clerks and other employees as it may require; or take any other action in relation thereto.

RECOMMENDED: Favorable Action.

✓ARTICLE 49: (By Direction of the Board of Selectmen): To see if the Town will vote to petition the Great and General Court of the Commonwealth of Massachusetts to enact the following legislation; or take any other action in relation thereto:

AN ACT CREATING A REVOLVING FUND IN THE TOWN OF WEYMOUTH FOR THE OPERATION OF THE McCULLOCH BUILDING

be it enacted, etc., as follows:

SECTION 1. Notwithstanding the provisions of M.G.L. Chapter 44, Section 53, the Town of Weymouth may establish a revolving fund in which shall be deposited the receipts received in connection with the operation and rental of the McCulloch building located at off 180^{1/2} Green Street, North Weymouth. Said receipts shall be expended at the direction of the Board of Selectmen without further appropriation and only for the purpose of paying expenditures resulting from the operation and rental of said building. When necessary, the Town of Weymouth may appropriate funds to be placed in such revolving fund.

SECTION 2. This action shall take effect upon its passage.

RECOMMENDED: Favorable Action.

✓ARTICLE 50: (By Request of the Planning Board): To see if the Town will vote to amend the Weymouth Zoning By-Laws, Chapter 120 of the Code of Town of Weymouth, with respect to regulating signs in I-1, I-2, PIP and POP Districts by adopting the following amendments; or take any other action in relation thereto:

Amendment to Section 120-64.4.A. by striking the words “in area” and replacing them with the words “for each horizontal foot of building frontage”; and further to insert the words “for each business” in between the words “signs” and “shall” so that the amended section will read as follows:

“A. Wall signs parallel to any exterior wall of a building for each place of business, provided that the same shall not project beyond the face of any other wall nor project above the roof line of said wall nor project, more than eighteen (18) inches from said signs, shall not exceed one (1) square foot for each horizontal foot of building frontage for each said business, and further provided that the area of said signs for each business shall not exceed seventy-five (75) square feet.”

The amended portions have been underlined.

RECOMMENDED: Favorable Action.

ARTICLE 51: (By Request of the Planning Board): To see if the Town will vote to amend the Town of Weymouth Zoning By-Law (Chapter 120 of the Code of the Town of Weymouth), so to be better able to regulate off street parking and landscaping requirements by adopting the following amendments; or take any other action in relation thereto.

AMENDMENT A.

Article XVII Sections 120-71 and 120-72, by deleting the existing Sections and substituting new Sections to read as follows:

“Section 120-71. Dimensional Requirements

Parking Spaces: Each individual parking space shall have minimum dimensions of nine (9) by eighteen (18) feet.

Driveway Entrances: Driveway entrances in all Districts, except Low Density Residential (R-1) shall be a minimum of twelve (12) feet in width for one-way traffic and twenty (20) feet wide for two-way traffic.

Aisle Widths: Aisle width and turning space shall be adequate to ensure safe and proper operation and shall be established by recognized Architectural/Engineering standards as deemed appropriate by the Inspector of Buildings.

Section 120-72. Access to Street Required

Each parking space shall have vehicular access to a street without the need of moving any other vehicle. Driveways and aisles in all Districts except Low Density Residential (R-1) shall be so arranged so that vehicles will leave and enter the street with a forward motion.”

AMENDMENT B

TABLE 1 - SCHEDULE OF DISTRICT REGULATIONS

Amendment by striking the words “50 and minimum 10 landscaped area” from Row B-1, Column Maximum Lot Coverage (percent of lot area) and replacing them with the words “50 and minimum 15 landscaped area.”

RECOMMENDED: Favorable Action.

ARTICLE 52: (By Request of the Planning Board): To see if the Town will vote to amend the Weymouth Zoning By-Laws, Chapter 120 of the Code of the Town of Weymouth, with respect to regulating major developments in High Density Residential District R-3 and R-4 and in Business Districts B-1 and B-2 by adopting the following amendments; or take any other action in relation thereto:

ARTICLE V - Residential District R-3

Section 120-15.B.

Amendment by striking the words “or more” and replacing them with the words “up to a maximum of nineteen (19)”, and further to strike the words “Article XXV of the bylaw” and replacing them with “the rules and regulations of the Planning Board” so that the amended section reads as follows:

“B. A building or group of buildings for occupancy by two (2) or more families in separate dwelling units, provided that, for any building with three (3) up to a maximum, of nineteen (19) dwelling units, a site plan shall be reviewed by the Planning Board, subject to the procedures and conditions of the rules and regulations of the Planning Board.”

The amended portion has been underlined.

Section 120-18.

Amendment by adding a new paragraph C. which reads as follows:

“C. A building or group of buildings for occupancy by twenty (20) or more families in separate dwelling units.”

ARTICLE VI - Residential District R-4

Section 120-20. A.

Amendment by striking the words “or more” and replacing them with the words “up to a maximum of nineteen (19)”, and further to strike the words “Article XXV of this bylaw” and replacing them with “the rules and regulations of the Planning Board” so that the amended section reads as follows:

“A. A building or group of buildings for occupancy by two (2) or more families in separate dwelling units, provided that, for any building with three (3) up to a maximum of nineteen (19) dwelling units, a site plan shall be reviewed by the Planning Board, subject to the rules and regulations of the Planning Board.”

The amended portion has been underlined.

Section 120-20.

Amendment by adding a sentence between paragraphs “A.” and “B.” to read as follows:

“Uses B. through H. are limited in area to either lots less than forty thousand (40,000) square feet or structures with a gross floor area of less than twenty thousand (20,000) square feet. For uses of greater lot area or floor area see section 120-22.C.”

Section 120-22.

Amending by adding a new paragraph C. to read as follows:

“C. Any permitted use or group of permitted uses in section 120-20. B. through H. which have either a lot area of forty thousand (40,000) square feet or more; or, a structure with a gross floor area of twenty thousand (20,000) square feet or more.”

ARTICLE VII - Business District B-1

Section 120-23

Amendment by inserting the words: “and further that no buildings, group of buildings or premises shall be placed on either a lot of forty thousand (40,000) square feet or more or contain twenty thousand (20,000) square feet or more of gross floor area” at the end of the first paragraph between the words “cause” and “or” so that the amended sentence reads as follows:

“In a Business District B-1, no building or premises shall be erected, altered or used for any purposes injurious, noxious or offensive to a neighborhood by reason of the emission of odor, fumes, dust, smoke, vibration or noise or other cause, and further that no buildings, group of buildings or premises shall be placed on either a lot or forty thousand (40,000) square feet or more or contain twenty thousand (20,000) square feet or more of gross floor area or for any other purpose; except:

The amended portion has been underlined.

Section 120-25.

Amendment by adding a new section “B.” which reads as follows:

“B. Any permitted use or group of permitted uses in Section 120.23.A. through G. which have either a lot area of forty thousand (40,000) square feet or more; or, a structure with a gross floor area of twenty thousand (20,000) square feet or more.”

ARTICLE VIII - Business District B-2

Section 120-26.

Amendment by inserting the following “and further that no buildings, group of buildings or premises shall be placed on either a lot of forty thousand (40,000) square feet or more or contain twenty thousand (20,000) square feet or more of gross floor area” to the end of the first paragraph between the words “cause” and “or” so that the amended sentence reads as follows:

“In a Business District B-2, no building or premises shall be erected, altered or used for any purposes injurious, noxious or offensive to a neighborhood by reason of the emission of odor, fumes, dust, smoke, vibration or noise or other cause, and further that no buildings, group of buildings or premises shall be placed on either a lot for forty thousand (40,000) square feet or more or contain twenty thousand (20,000) square feet or more of gross floor area or for any purpose; except:

Section 120-27.C.

Amendment by adding at the end the words “, see Table 1, Schedule of District Regulations, for density requirements.” so that the amended section reads as follows:

“C. Multiple dwelling, see Table 1, Schedule of District Regulations, for density requirements.”

Amendment by adding a new section 120-27.1 to read as follows:

“120-27.1 Special Permit uses by Planning Board.

The following uses, or uses customarily accessory thereto, may be granted as special permit uses by the Planning Board, subject to the conditions and requirements of Article XXV:

“A. Any permitted use or group of permitted uses in Section 120-26.A. through C. which have either a lot area of forty thousand (40,000) square feet or more; or a structure with a gross floor area of twenty thousand (20,000) square feet or more.”

TABLE I - SCHEDULES OF DISTRICT REGULATIONS

Amendment by inserting the phrase “All units in multiple-family residential buildings based on FAR .30 (See Sec. 120-6, FLOOR AREA RATIO.)” in Row B-2, Column Minimum Lot Area (square feet per dwelling unit).

RECOMMENDED: Favorable Action.

ARTICLE 53: (By Request of the Appropriation Committee): To see if the Town will vote to amend its by-laws by adding the following paragraph to Section 2 of Chapter 47 TOWN MEETINGS; or take any other action in relation thereto.

The warrant for any special town meeting shall be closed at least thirty (30) days subsequent to the warrant for a special town meeting already called by the Board of Selectmen.

RECOMMENDED: Favorable Action.

The purpose of this requested change is to prevent the circumvention of the Bylaw referencing 30 day and 60 day Special Town Meetings, so that no 30 day meetings will be called until at least 30 days shall have passed from when the last 30 day meeting was called and closed. Town Counsel has reviewed this wording and in his opinion it will have the stated result.

ARTICLE 54: (By Petition of Donald G. Hunt and others): To see if the Selectmen should appoint a study committee for the purpose of implementing an Acquiifer By-Law in the Town of Weymouth to protect the water resources of the Town; or take any other action in relation thereto.

RECOMMENDED: No Action.

ARTICLE 55: (By Petition of Donald G. Hunt and others): To see if the Town will vote to raise and appropriate by taxation, transfer from available funds and/or borrow the sum of \$1.00 or any other sum, for the purpose of establishing a Conservation Fund for the sole purpose of obtaining or purchasing land for conservation and open space purposes; or take any other action in relation thereto.

RECOMMENDED: Refer to a Future Town Meeting.

All stated purposes for this article are adequately covered under existing State and Local Laws and Regulations. The Conservation Commission will address this issue and at a future town meeting will present specific guidelines for the administration and control of such a fund that would give Town Meeting proper review and approval authority.

ARTICLE 56: (By Petition of Donald G. Hunt and others): To see what sum of money the Town will vote to raise and appropriate from taxation, transfer from available funds and/or borrow for a feasibility study for Great Pond and its watershed; or take any other action in relation thereto.

RECOMMENDED: No Action.

The Town paid consultants have recommended that this not be acted upon because such a study is not warranted. The consultants do recommend that Swamp River and Mill River Watersheds (excluding Great Pond), be studied. This will be done and funding will be in the Water Department Budget under Article 1.

ARTICLE 57: (By Petition of John F. Fehan and others): To see if the Town will vote to transfer certain parcels of land presently owned by the Town of Weymouth to the care, custody and control of the Conservation Commission for all the purposes included in Chapter 40, Section 8C of the General Laws, as it now read or may be hereafter amended, said parcels being located between Liberty Street and Union Street in the vicinity of the Hingham and Rockland town lines as shown on Sheet 55 of the Weymouth Town Atlas, Block 610, Lots 9, 12, 17, 22, 23, 31, 36, 44, 47 and Block 613, Lots 1, 8, 10, 11, 13, 17, 22, 24, 30, 33, 35, 40, 44, 47, 56, 60, 64, or take any other action relative thereto.

RECOMMENDED: No Action.

This area of land is presently under study by the Weymouth Redevelopment Authority, refer to Appendix P.

ARTICLE 58: (By Petition of Nancy Perry and others): To see if the Town will vote to raise and appropriate or transfer from available funds a sum of money to be expended for the purpose of hiring a Consulting Engineer to prepare plans and specifications for the construction of traffic signals at the intersection of Pine Street and Ralph Talbot Street, or take any other action in relation thereto.

RECOMMENDED: No Action, refer to Appendix Q.

The State has by letter indicated it will proceed with installing traffic lights. The Appropriations Committee is unanimous in that should the State not perform for some unforeseen or extraordinary reason, it will ask the Board of Selectmen to initiate a Reserve Fund Transfer request of \$40,000 to do the work requested. If the State did not respond, the Appropriation Committee's recommendation would have been for Favorable Action in the sum of \$40,000.

ARTICLE 59: (By Petition of Nancy E. Nordahl and others): To see whether or not the Town of Weymouth will vote to amend the most recent zoning map of the Town of Weymouth by changing R-1 (residence) to B-1 (limited business) the parcels of land shown on the Atlas of the Town of Weymouth dated 1985, Sheet 45, Block 515, Lots 2, 15, 14, 12, and also shown in the Appendix to this Warrant; or take any other action in relation thereto.

RECOMMENDED: No Action, refer to Appendix R.

ARTICLE 60: (By Petition of Francis J. Quinn and others): To see if the Town will vote to amend the Code of the Town of Weymouth By-Laws by adding the following; or take any other action in relation thereto.

General Bylaw - Hazardous Materials

SECTION 1: AUTHORITY

This Bylaw is adopted by the town under its home rule powers, its police powers to protect public health and welfare, and its authorization under Mass. Gen. Laws, ch. 40, section 21.

SECTION 2: PURPOSE

The purpose of this bylaw is to protect, preserve, and maintain the existing and potential groundwater supply, groundwater recharge areas, and surface water within the town from contamination with hazardous materials.

SECTION 3: DEFINITIONS

The following definitions shall apply in the interpretation and implementation of this bylaw.

SECTION 3:1

“Hazardous material” means a product or waste, or combination of substances which because of quantity, concentration, or physical, or chemical, or infectious characteristics, poses in the Board of Health’s judgment a substantial present or potential hazard to the human health, safety, or welfare, or the environment when improperly treated, stored, transported, used, or disposed of, or otherwise managed. Any substance deemed a hazard waste in Mass. Gen. Laws, ch. 21 C, shall also be deemed a hazard material for the purpose of this bylaw.

SECTION 3:2

“Discharge” means the disposal, deposit, injection, dumping, spilling, leaking, incineration, or placing of any hazardous material into or on any land or water so that such hazardous material or any constituent thereof may enter the environment or be emitted into the air or discharged into any waters, including groundwaters.

SECTION 4: REGISTRATION

SECTION 4:1

Every owner or operator of a commercial or industrial establishment (including home occupations) storing hazardous materials in quantities totaling more than fifty gallons liquid volume or twenty-five pounds dry weight shall register with the Board of Health the types, quantities, location, and method of storage of said hazardous materials. Registration required by this provision shall be initially submitted by (initial date) and annually thereafter within thirty days of (month, day) each year.

SECTION 4:2

Owners or operators of commercial or industrial establishments who have not previously registered in accordance with Subsection 4:1 shall, if they meet the registration requirement, register initially within thirty days of meeting such requirements and thereafter within thirty days of (month, day) each year.

SECTION 4:3

In addition to registration, owners or operators of commercial or industrial establishments registered in accordance with Subsections 4:1 and 4:2 shall maintain on the premises an inventory, reconciled on a monthly basis, of purchase, use, sale, and disposal of hazardous materials. The purpose of this account is to detect any product loss and to provide an ongoing record of all quantities of hazardous materials within the town over the registration threshold.

SECTION 4:4

Upon the request of the Board of Health, owners or operators shall produce within twenty four hours the latest reconciled inventory.

SECTION 4:5: HAZARDOUS WASTES GENERALLY

Wastes containing hazardous materials shall be held on the premises in product-tight containers for removal by a licensed carrier and for disposal in accordance with the Massachusetts Hazardous Waste Management Act, Mass. Gen. Laws, ch. 21C.

SECTION 4:6

Aboveground containers of wastes containing hazardous materials shall be stored on a surface impervious to the material being stored. The storage area shall be enclosed by a permanent dike of impermeable construction. The volume of the area enclosed by the dike shall be equal to or greater than the capacity of the containers within the dike.

SECTION 5: UNDERGROUND STORAGE

The following provisions shall apply to all underground liquid hazardous material storage systems with the capacities of fifty five gallons or greater.

SECTION 5:1

Owners shall file with the Board of Health the size, type, age, and location of each tank, and the type of hazardous material stored in each, on or before (initial date). Evidence of date of purchase and installation, including Fire Department permit, if any, shall be included along with a sketch map showing the location of such tanks on the property.

SECTION 5:2

Owners of tanks for which evidence of installation date is not available shall, at the order of the Board of Health, have such tank systems tested. If either the Board of Health or the Head of the Fire Department determines that the tank is not product tight, it shall be disposed of under the direction of the Board of Health or the Head of the Fire Department.

SECTION 5:3

All steel tanks shall be subject to one of the following tests 15 years after installation and annually after 20 years or if evidence of installation date is not available: a five-pounds per square inch air pressure test performed on an empty tank, or a Kent-Moore Pressure test, or any other testing system approved in advance by the Board of Health or the Head of the Fire Department. Certification of the testing shall be submitted by the Board of Health and the Head of the Fire Department. Any tank failing the test shall be disposed of under the direction of the Board of Health or the Head of the Fire Department.

SECTION 5:4

Newly installed tanks shall be protected from internal and external corrosion and shall be of a design approved by the Board of Health and the Head of the Fire Department. The following tank construction systems are considered to provide adequate corrosion protection: all Fiberglas[®] construction steel with bonded Fiberglas[®] and internal lining; the Steel Tank Institute 3-Way Protection System; and other such tank construction systems as the Board of Health and the Head of the Fire Department shall approve.

SECTION 6

The following provisions apply to all underground hazardous material storage systems of any capacity.

SECTION 6:1

All leaking tanks must be emptied by the owner or operator within twelve hours of leak detection and removed by the owner or operator in a time period to be determined by the Board of Health.

SECTION 6:2

Tank Installations on lots not having a permit prior to adoption of this bylaw are not permitted within four feet of maximum high water table or within one hundred feet of a surface water body.

SECTION 7: VARIANCES

The Board of Health may vary the application of any provision of this bylaw, unless otherwise required by law, in any case when, in its opinion, the applicant has demonstrated that an equivalent degree of environmental protection required under this bylaw will still be achieved. The applicant at his own expense must notify all abutters by certified mail at least ten days before the Board of Health meeting at which the variance request will be considered. The notification shall state the variance sought and the reasons therefore. Any variance granted by the Board of Health shall be in writing. Any denial of a variance shall also be in writing and shall contain a brief statement of the reasons for the denial.

SECTION 8: ENFORCEMENT

SECTION 8:1: PROTECTION

All discharges of hazardous material within the town are prohibited.

SECTION 8:2: REPORTING OF DISCHARGE

Any person having knowledge of a discharge of hazardous materials shall immediately report the discharge to the Board of Health, and if involving flammable or explosive materials, to the Head of the Fire Department.

SECTION 8:3: RIGHT OF ENTRY

The Board of Health and its agents may enter upon privately owned property for the purpose of performing their duties under this bylaw.

SECTION 8:4: PENALTY

Any person who violates any provision of this bylaw shall be punished by a fine of not more than \$200.00. Each day or portion thereof during which violation continues shall constitute a separate offense; if more than one, each condition violated shall constitute a separate offense. This bylaw may be enforced pursuant to Mass. Gen. Laws, ch 40, section 21 D by a Town police officer or other officer having police powers. Upon request of the Board of Health or the Fire Department, the Board of Selectmen and Town Counsel shall take legal action as may be necessary to enforce this bylaw.

SECTION 9: FEES

Any person registering storage of hazardous materials pursuant to Section 4 shall pay to the Town of Weymouth an annual registration fee of \$2.00. Such fee shall be due on the same date as the annual registration. Failure to pay shall constitute a violation to the penalties of Section 8 of the bylaw.

The Board of Health may charge for expenses incurred in the enforcement of this bylaw; or take any other such action in relation thereto.

RECOMMENDED: No Action

The Board of Health has indicated that under present Federal, State and Local Laws and Regulations, that hazardous material is being adequately addressed and should a need for further local regulations be identified, the Board of Health will bring that before Town Meeting.

ARTICLE 61: (By Direction of the Board of Selectmen at the request of Arthur J. Mulcahy, Trustee of 7M Realty Trust): To see whether or not the Town of Weymouth will vote to amend the most recent zoning map of the Town of Weymouth by changing I-2 (General Industrial) to B-2 (General Business) the parcels of land shown on the Atlas of the Town of Weymouth as revised to date, Sheet 37, Block 460, Lots 1 and 2; or take any other action in relation thereto.

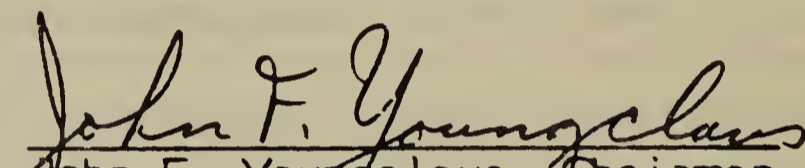
RECOMMENDED: No Action, refer to Appendix S.

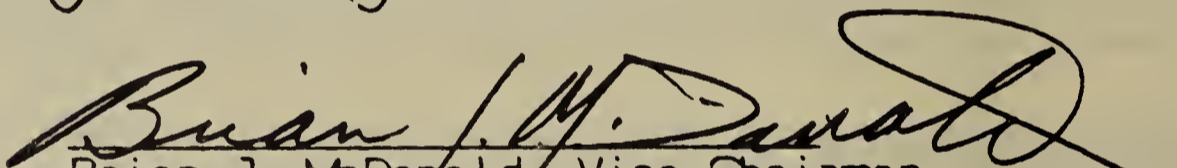
You are hereby directed to serve this Warrant by post a copy thereof, attested by you in writing in each of two public places in each voting precinct of said Town, seven (7) days at least before the date of holding the first meeting called for in this Warrant.

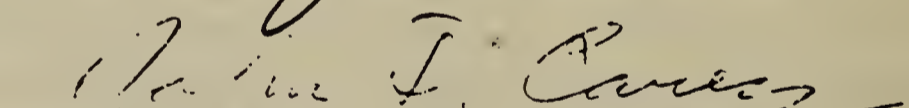
Hereof fail not to make due return of this Warrant with your doings thereon to the Town Clerk of said Town on or before the twenty-seventh day of April in the year of Our Lord, One thousand, nine hundred and eighty-seven.


Given under our hands this 17th day of February, One thousand, nine hundred and eighty-seven.


**TOWN OF WEYMOUTH
BOARD OF SELECTMEN**


John F. Youngclaus, Chairman


Brian J. McDonald, Vice Chairman


John F. Carey, Clerk


Peg Goudy


Francis E. Murphy

You are further requested to notify and warn the inhabitants of Weymouth qualified to vote in election to meet at the polling place of their respective precincts, to wit:

In Precinct 1 - Eldon H. Johnson School, 70 Pearl Street
In Precinct 2 - Wessagusset School, 75 Pilgrim Road
In Precinct 3 - Eldon H. Johnson School, 70 Pearl Street
In Precinct 4 - Weymouth North High School, 1051 Commercial Street
In Precinct 5 - Tufts Library, 46 Broad Street
In Precinct 6 - East Junior High School, 89 Middle Street
In Precinct 7 - East Junior High School, 89 Middle Street
In Precinct 8 - Lawrence W. Pingree School, 1250 Commercial Street
In Precinct 9 - Homestead School, 417 Front Street
In Precinct 10 - William Seach School, 770 Middle Street
In Precinct 11 - Lawrence W. Pingree School, 1250 Commercial Street
In Precinct 12 - Thomas V. Nash School, 1003 Front Street
In Precinct 13 - Thomas V. Nash School, 1003 Front Street
In Precinct 14 - South Junior High School, 280 Pleasant Street
In Precinct 15 - Ralph Talbot School, 277 Ralph Talbot Street
In Precinct 16 - Alice E. Fulton School, 245 Pond Street
In Precinct 17 - Alice E. Fulton School, 245 Pond Street
In Precinct 18 - Union Street School, 400 Union Street

MONDAY, THE EIGHTEENTH DAY OF MAY, 1987

at seven o'clock in the forenoon, then and there to bring into the Wardens of their several precincts their votes on one ballot, for the following named officers, to wit:

One (1) Board of Selectmen for three (3) years
Two (2) Board of Public Works Members for three (3) years
One (1) Assessor for three (3) years
One (1) Park Commissioner for three (3) years
One (1) Park Commissioner for one (1) year (To fill vacancy)
Two (2) School Committee Members for three (3) years
Three (3) Trustees of Tufts Library for three (3) years
One (1) Board of Health Member for three (3) years
One (1) Planning Board Member for five (5) years
One (1) Annual Moderator for one (1) year
One (1) Redevelopment Authority Member for five (5) years

and for the election of Town Meeting Members from the several voting precincts of the Town as follows:

In Precinct 1 - Five (5) Town Meeting Members for three (3) years

In Precinct 2 - Five (5) Town Meeting Members for three (3) years

In Precinct 2 - One (1) Town Meeting Member for one (1) year
(To fill vacancy)

In Precinct 3 - Five (5) Town Meeting Members for three (3) years

In Precinct 4 - Six (6) Town Meeting Members for three (3) years

In Precinct 5 - Five (5) Town Meeting Members for three (3) years

In Precinct 6 - Five (5) Town Meeting Members for three (3) years

In Precinct 7 - Five (5) Town Meeting Members for three (3) years

In Precinct 8 - Five (5) Town Meeting Members for three (3) years

In Precinct 9 - Five (5) Town Meeting Members for three (3) years

In Precinct 10 - Four (4) Town Meeting Members for three (3) years

In Precinct 11 - Five (5) Town Meeting Members for three (3) years

In Precinct 12 - Five (5) Town Meeting Members for three (3) years

In Precinct 13 - Four (4) Town Meeting Members for three (3) years

In Precinct 14 - Five (5) Town Meeting Members for three (3) years

In Precinct 15 - Five (5) Town Meeting Members for three (3) years

In Precinct 16 - Four (4) Town Meeting Members for three (3) years

In Precinct 17 - Three (3) Town Meeting Members for three (3) years

In Precinct 18 - Four (4) Town Meeting Members for three (3) years

POLLS WILL BE CLOSED AT EIGHT O'CLOCK IN THE EVENING

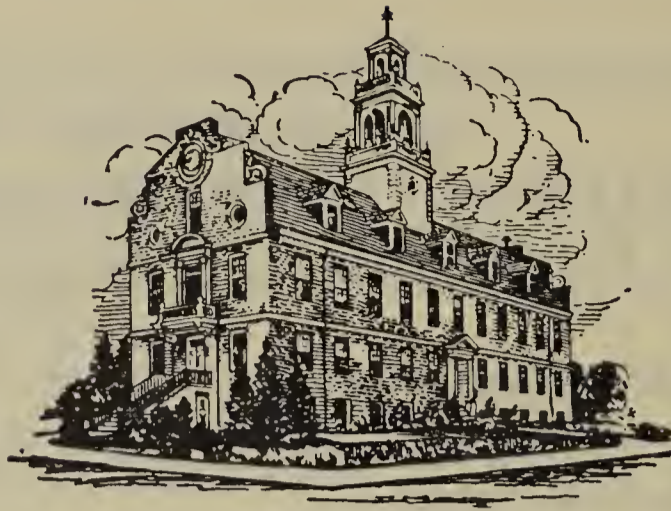
SALARIES FOR ELECTED AND APPOINTED OFFICIALS

1. Selectmen - \$1,500 for Chairman, \$1,000 each for four other members.
2. Town Clerk - \$37,453.
3. Registrars - \$600 for Chairman, \$1,400 for Town Clerk, \$500 each for two other members.
4. Treasurer - \$37,453.
5. Tax Cofllector - \$37,453.
6. Assessors - \$1,500 for Chairman, \$1,000 each for four other members.
7. Public Works - \$1,000 for Chairman, \$800 each for six other members.
8. Health - \$600 for Chairman, \$500 each for two other members.
9. Recreation - \$600 for Chairman, \$500 each for four other members.
10. Moderator - \$300.00
11. School Committee - \$1,500 for Chairman, \$1,000 each for six other members.
12. Planning Board - \$800 for Chairman, \$600 for six other members.
13. Library - \$100 for each of the nine Trustees.

APPENDIX A ARTICLE 2



PERSONNEL BOARD



THE TOWN OF
WEYMOUTH, MASSACHUSETTS

EAST WEYMOUTH, MA 02189

April 8, 1987

To: Appropriation Committee

From: Personnel Board

The following are proposed amendments to the Personnel Policies subject to funding and approval of the May 1987 Annual Town Meeting.

Chapter 32-Section 7 Amend Schedule A by making the following changes:

Class Title

ADMINISTRATIVE AND CLERICAL GROUP

Class Title		Salary Level/ Compen. Grade
Administrative Assistant (DPW)	delete	11-5
Administrative Assistant & Tree Warden	new position	14-5
Sec./Council on Aging	new position	8-4

SUPERVISORY GROUP

Assistant Director of Public Works	delete	16-5
Supt. Sewer	delete	14-5
Assist. Supt. Construction & Maintenance/Tree Warden	delete	14-5

APPENDIX B

ARTICLE 3

Department/ Position	7/1/86 Grade	(5.5%) Salary	7/1/87 Grade	(5%) Salary	Diff	%
SELECTMEN						
Administrator	18-3	45122	18-4	52116	6994	15.5%
xec. Secy	11-5	26236	11-5	27548	1312	5.0%
Secy, Admin.	8-3	16339	8-3	17156	817	5.0%
Harbor Master	11-5	26236	11-5	27548	1312	5.0%
Dog Officer	11-5	26236	11-5	27548	1312	5.0%
Asst. Dog Off.	10-2	17825	10-3	20796	2971	16.7%
Sr. Cust. Supvr.	9-5	21565	9-5	22644	1079	5.0%
Aff. Action Offr.	12-4	26595	12-4	27925	1330	5.0%
Dir. Data Process.	16-4	40286	16-5	46147	5861	14.5%
Sr. Prog/Analyst	14-1	23775	14-1	24964	1189	5.0%
Prog./Analyst	12-4	26595	12-5	30463	3868	14.5%
Computer Opr.	9-4	19768	9-5	22644	2876	14.5%
Data Clerk	7-3	14885	7-4	17192	2307	15.5%
Data Clk (25 hrs)	7-1	12201	7-1	12811	610	5.0%
Comp. Opr. (PT)	S-5A	6.68	S-5B	7.01	0.33	4.9%
ACCOUNTING						
Town Accountant	16-5	43949	16-5	46147	2198	5.0%
Asst. Town Acct.	11-5	26236	11-5	27548	1312	5.0%
ASSESSORS						
Appraiser	16-5	43949	16-5	46147	2198	5.0%
Office Mgr.	11-5	26236	11-5	27548	1312	5.0%
TAX COLLECTOR						
Deputy Tax Coll.	11-5	26236	11-5	27548	1312	5.0%
TREASURER						
Asst. Treasurer	11-5	26236	11-5	27548	1312	5.0%
Payroll Adm.	9-4	19768	9-5	22644	2876	14.5%
TOWN CLERK						
Asst. Clerk	11-5	26236	11-5	27548	1312	5.0%
PERSONNEL BOARD						
Officer	SCH. F	2884	SCH. F	3028	144	5.0%
Secy.	S-8-E	4048	S-8-E	4250	202	5.0%
PLANNING/COMM. DEV.						
Director	15-5	39588	15-5	41567	1979	5.0%
Principal Planner	13-5	32140	13-5	33746	1606	5.0%
Econ Dev Planner	13-4	29461	13-5	33746	4285	14.5%
Secy	8-5	19607	8-5	20586	979	5.0%

APPENDIX B (Cont.)

ARTICLE 3

Department/ Position	7/1/86 Grade	(5.5%) Salary	7/1/87 Grade	(5%) Salary	Diff	%
POLICE						
Chief	17-5	48780	17-5	51219	2439	5.0%
Exec. Officer	16-5	43949	16-5	46147	2198	5.0%
Secy	8-5	19607	8-5	20586	979	5.0%
Crime Analyst	8-5	19607	8-5	20586	979	5.0%
Dispatcher	7-3	14885	7-4	17192	2307	15.5%
Dispatcher	7-2	13397	7-2	14066	669	5.0%
Dispatcher	7-5	17862	7-5	18755	893	5.0%
Dispatcher	7-5	17862	7-5	18755	893	5.0%
Custodian	7-5	17862	7-5	18755	893	5.0%
Custodain	7-4	16374	7-5	18755	2381	14.5%
Princ. Clk.	8-4	17973	8-5	20586	2613	14.5%
Princ. Clk.	8-5	19607	8-5	20586	979	5.0%
Sr. Clerk	7-5	17862	7-5	18755	893	5.0%
FIRE						
Chief	17-5	48780	17-5	51219	2439	5.0%
Secy	8-5	19607	8-5	20586	979	5.0%
BUILDING						
Inspector	15-5	39588	15-5	41567	1979	5.0%
Deputy	13-4	29461	13-5	33746	4285	14.5%
Local	12-5	29012	12-5	30463	1451	5.0%
Local	12-1	19346	12-2	22847	3501	18.1%
Wiring	12-5	29012	12-5	30463	1451	5.0%
Plumb/Gas	12-5	29012	12-5	30463	1451	5.0%
Asst. Wiring Insp	11-1	17490	11-1	18364	874	5.0%
Adm. Asst.	11-2	19677	11-3	22956	3279	16.7%
PUBLIC WORKS						
Director	18-5	54146	18-5	56854	2708	5.0%
Adm. Asst. Tree						
Wrtn.	14-5	35670	14-5	37453	1783	5.0%
Secy	11-5	26236	11-5	27548	1312	5.0%
Principal Clerk						
Eng.	8-5	19607	8-5	20586	979	5.0%
Comp/Cont/Bill	8-5	19607	8-5	20586	979	5.0%
C & M	8-5	19607	8-5	20586	979	5.0%
Labor Serv. Clk.	8-5	19607	8-5	20586	979	5.0%
Sewer	8-3	16339	8-4	18872	2533	15.5%
Water	8-5	19607	8-5	20586	979	5.0%
Supt. Tech. Servs.	16-5	43949	16-5	46147	2198	5.0%
Town Engineer	15-4	36289	15-5	41567	5278	14.5%
C.E. Gr. V	14-3	29725	14-4	34332	4607	14.5%
C.E. Gr. IV	12-3	24177	12-4	27925	37481	14.5%

APPENDIX B (Cont.)

ARTICLE 3

Department/ Position	7/1/86 Grade	(5.5%) Salary	7/1/87 Grade	(5%) Salary	Diff	%
C & M Supt.	14-5	35670	14-5	37453	1783	5.0%
C & M Asst. Supt	14-5	33810	14-5	35670	1860	
Off. Mgr. Sewer	11-5	26236	11-5	27548	1312	5.0%
Off. Mgr. Water	11-5	26236	11-5	27548	1312	5.0%
Chief Treatment Plant Operator	10-4	21787	10-5	24955	3168	14.5%
General Foremen						
C & M	11-5	26236	11-5	27548	1312	5.0%
C & M	11-5	26236	11-5	27548	1312	5.0%
Sewer	11-5	26236	11-5	27548	1312	5.0%
Water Treatment & Opr. Mgr.	11-5	26236	11-5	27548	1312	5.0%
Water	11-3	21863	11-4	25251	3388	15.5%
CONSERVATION						
Administrator	12-1	19346	12-2	22847	3501	18.1%
HEALTH						
Director	15-4	36289	15-5	41567	5278	14.5%
Executive Secy	11-1	17490	11-2	20661	5278	18.1%
Sanitarian	11-4	24049	11-5	27548	3499	14.5%
Sanitarian	11-3	21863	11-4	25251	3388	15.5%
R.N.	11-5	26236	11-5	27548	1312	5.0%
R.N.	11-5	26236	11-5	27548	1312	5.0%
Dental Hygenist	10-5	23767	10-5	24955	1188	5.0%
AGING						
Director	12-3	24177	12-3	25386	1209	5.0%
Coord/Services	10-1	15846	10-2	18717	2871	18.1%
Coord/Volunteers	10-1	15846	10-2	18717	2871	18.1%
Secretary	S-8-C		8-4	18872		
YOUTH						
Coordinator	12-5	29012	12-5	30463	1451	5.0%
Prin. Clk.	8-5	19607	8-5	20586	979	5.0%
Outreach Wkr.	10-1	15847	10-2	18717	2870	18.1%
Outreach Wkr.	10-1	15847	10-2	18717	2870	18.1%
Outreach Wkr.	10-1	15847	10-2	18712	2870	18.1%
VETERANS						
Agent & Dir.	12-5	29012	12-5	30463	1451	5.0%
Investigator	9-5	21565	9-5	22644	1079	5.0%

APPENDIX B (Cont.)

ARTICLE 3

Department/ Position	7/1/86 Grade	(5.5%) Salary	7/1/87 Grade	(5%) Salary	Diff	%
LIBRARY						
Director	15-5	39588	15-5	41567	1979	5.0%
Asst. Dir.	13-5	32140	13-5	33746	1606	5.0%
Prog. Supvr.	11-4	24049	11-5	27548	3499	14.5%
Prog. Supvr.	11-5	26236	11-5	27548	1312	5.0%
Prof. Assoc.	10-1	15846	10-1	16638	792	5.0%
Proof Assoc.	10-5	23767	10-5	24955	1188	5.0%
Proof Assoc.	10-5	23767	10-5	24955	1188	5.0%
Proof Assoc.	10-5	23767	10-5	24955	1188	5.0%
Prin. Assist.	10-5	23767	10-5	24955	1188	5.0%
Sr. Assist. 15 hrs	9-5	21565	9-5	22644	1079	5.0%
Sr. Assist. 15 hrs	9-5	21565	9-5	22644	1079	5.0%
Sr. Assist. 15 hrs	9-5	21565	9-5	22644	1079	5.0%
Prin. Clk.	8-1	13286	8-1	13950	664	5.0%
Sr. Assist.	8-5	19607	8-5	20586	979	5.0%
Jr. Assistants						
A	6-5	16291	6-5	17106	815	5.0%
B	6-5	16291	6-5	17106	815	5.0%
C	6-5	16291	6-5	17106	815	5.0%
D	6-5	16291	6-5	17106	881	5.0%
E	6-1	11217	6-1	11778	561	5.0%
F	6-2	12218	6-3	14255	2037	16.7%
G	6-1	11217	6-1	11778	561	5.0%
Cust. Supvr.	9-4	19768	9-5	22644	2876	14.5%
Custodian	7-5	17862	7-5	18755	893	5.0%
Custodian	7-1	12201	7-1	12811	610	5.0%
RECREATION						
Director	13-5	32140	13-5	33746	1606	5.0%
Park Ranger	9-5	21565	9-5	22644	1079	5.0%
Executive Secy	11-2	19677	11-3	22956	3279	16.7%
121		\$2,829,593		\$3,043,550	\$213,957	7.56%

Schedule F
Miscellaneous Salary and Wage Schedule
For Part Time and Seasonal Employees

PERMANENT PART TIME EMPLOYEES

Class Title	Rate 7/1/87		
Assistant Dog Officer (Part Time) (Hourly)	8.00	10.00	12.00
Code Enforcement Officer (Part Time) (Hourly)	8.83	11.04	13.24
Personnel Officer (Part Time) (Annual)			3028
Public Health Nurse (Part Time) (Hourly)	8.83	11.04	13.24
Sealer of Weights and Measures (Part Time) (Annual)	6302	6661	7308
Student Engineer (Part Time)			
Sophomore (Hourly)			7.01
Middler (Hourly)			7.40
Junior (Hourly)			8.49
Senior (Hourly)			9.78
Transportation Coordinator (Hourly)	6.71		7.76
Assistant Harbormaster	7.67	9.59 8.25	14.54 9.90
SEASONAL AND INTERMITTENT PART-TIME EMPLOYEES			
BEACH PERSONNEL			
Beach Supervisor (Seasonal) (Weekly)	233.55	259.50	285.45
Assistant Beach Supervisor (Seasonal) (Weekly)	205.52	228.36	251.20
Swimming Instructor (Seasonal) (Weekly)	194.40	216.00	237.60
Lifeguard (Seasonal) (Weekly)	160.73	178.61	196.46
Maint. & Custodial Attendant (Seasonal) (Hourly)	4.36	4.84	5.31

(Continued on next page)

APPENDIX B (Cont.) - ARTICLE 3

SCHEDULE F - (Cont.)

PLAYGROUND PERSONNEL

Recreation Program Supvr. (Seasonal) (Weekly)	233.55	259.50	285.45
Assistant Recreation Program Supvr. (Seasonal) (Weekly)	205.52	228.36	251.20
Driver Recreation Program (Seasonal) (Weekly)	171.07	190.08	209.08
Playground Specialist (Seasonal) (Weekly)	194.40	216.00	237.60
Park Instructor (Seasonal) (Weekly)	160.73	178.61	196.46
Playground Instructor (Seasonal) (Weekly)	160.73	178.61	196.46
Handicapped Children Program Supvr. (Seasonal) (Weekly)	233.55	259.50	285.45
Specialist Physically Handicapped Program Supvr. (Seasonal) (Weekly)	233.55	259.50	285.45
Specialist Exceptional Program (Seasonal) (Weekly)	194.40	216.00	237.60
Recreation Special Police (Hourly)	5.26	5.85	6.44
Dispatcher Special Police (Hourly)	4.36	4.84	5.31
Supvr. Special Police (Hourly)			7.76
Great Esker Park Program Coordinator (Weekly)	205.52	228.36	251.20

INTERMITTENT PART-TIME EMPLOYEES

Laborer (Temporary) (Hourly)			5.18
Laborer (Seasonal) (Hourly)		5.59	6.10
Library Page (Part Time) (Hourly)			
First Year (Hourly)			4.31
Second Year (Hourly)			4.61
Student Library Assistant (Part Time) (Hourly)			
First Year			4.71
Second Year			5.18
Third Year			5.65
Recording Secretary (Part Time) (Hourly)			
Per Meeting			29.99/59.98
Per Hour			10.00

APPENDIX B (Cont.)
ARTICLE 3

Section 8
Part Time Positions Classified in the
Administrative and Clerical Group

Employees occupying administrative and clerical positions in part time employment, which may be continuous employment, or which may constitute intermittent or casual service, shall be compensated at hourly rates appearing in the following schedule, which is hereby incorporated in the Compensation plan:

5%					
Compensation	Minimum				Maximum
Grade	A	B	C	D	E
S-1	5.96	6.24	6.47	6.71	7.01
S-2	6.24	6.47	6.71	7.01	7.29
S-3	6.47	6.71	7.01	7.29	7.59
S-4	6.71	7.01	7.29	7.59	7.90
S-5	7.01	7.29	7.59	7.90	8.21
S-6	7.29	7.59	7.90	8.21	8.53
S-7	7.59	7.90	8.21	8.53	8.86
S-8	7.90	8.21	8.53	8.86	9.24
S-9	8.21	8.53	8.86	9.24	9.59
S-10	8.53	8.86	9.24	9.59	10.00

An employee within the meaning of this section shall receive the increment between his present rate and the next higher step rate as follows:

- (1) On the termination of the nearest pay period to April First or October First after completion of 500 hours of work. An employee shall not be granted more than one such increment during each twelve month period
- (2) The increase in rate which this increment represents must be recommended by the employee's department head and approved by the Personnel Board

APPENDIX C

ARTICLE 7

Town of Weymouth

DEPARTMENT OF PUBLIC WORKS

BOARD OF PUBLIC WORKS

Michael J. Sheehan, Chairman
Gerard F. Cullivan, Vice-Chairman
Wayne A. Edge, Clerk
Patrick J. Barrett
Donald L. Hanifan
Thomas H. Keough
Thomas E. Tanner

120 Winter Street
Weymouth, Massachusetts 02188



Director of Public Works
FRANK S. LAGROTTERIA
Asst. Director of Public Works
FRANCIS E. LENIHAN

Connecting all Divisions
120 Winter Street - 337-5100

All emergencies after 4:30 p.m. daily
Saturdays, Sundays and Holidays - 337-5108

March 20, 1987

Mr. John Cunningham, Secretary
Appropriation Committee
Town of Weymouth
Massachusetts

Re: Art. #7 ATM 1987 - Street Acceptance

Dear Mr. Cunningham:

In accordance with Chapter #6 Section #6-4 of the Town of Weymouth by-laws, please be advised that the provisions of law applicable to those streets submitted for acceptance as public ways have been complied with.

Enclosed is copy of Report of the Town Engineer as to compliance with by-law requirements, costs, etc.

Please note that "Portion of Middle Street" has not been included. This is the subject matter of Art. #27 and does not belong in Art. #7.

Very truly yours,

Frank S. Lagrotteria
Director of Public Works

FSL/mkh

APPENDIX C

ARTICLE 7 (Cont.)

March 17, 1987

Mr. Frank Lagrotteria
Department of Public Works
Town of Weymouth, Massachusetts

Re: 1987 Proposed Street Acceptance

Dear Mr. Lagrotteria:

In compliance with Article III, Section 302 of the Town of Weymouth By-Laws, I herewith submit the report of the report of the Town Engineer, the following list of streets petitioned for acceptance to the Annual Town Meeting for the year 1987:

- | | |
|-------------------|--|
| 1. Goodrow Road | - From about 10 Goodrow Rd., 505 L.F. southerly to Western Avenue. |
| 2. Inman Road | - From about 40 Inman Rd., 470 L.F. southerly to Western Ave. |
| 3. Simonds Lane | - From Western Ave., 350 L.F. southerly to dead end. |
| 4. Western Avenue | - From intersection with Southern Ave., 810 L.F. easterly to a dead end. |

<u>Street</u>	<u>Plans & Profile</u> <u>in Order</u>	<u>Subgrade</u>	<u>Street</u> <u>Releases</u>
1. Goodrow Road	Yes	Class A Finished	100%
2. Inman Road	Yes	Class A Finished	88%
3. Simonds Lane	Yes	Class A Finished	67%
4. Western Avenue	Yes	Class A Finished	100%

SUMMARY OF CONSTRUCTION COSTS

<u>Street</u>	<u>Petitioned</u>	<u>No. of</u> <u>Homes</u>	<u>Highway</u> <u>Costs</u>	<u>Water</u> <u>Costs</u>	<u>Total</u>
1. Goodrow Road	1986	7	0	0	0
2. Inman Road	1986	8	0	0	0
3. Simonds Lane	1986	6	0	0	0
4. Western Avenue	1986	2	0	0	0

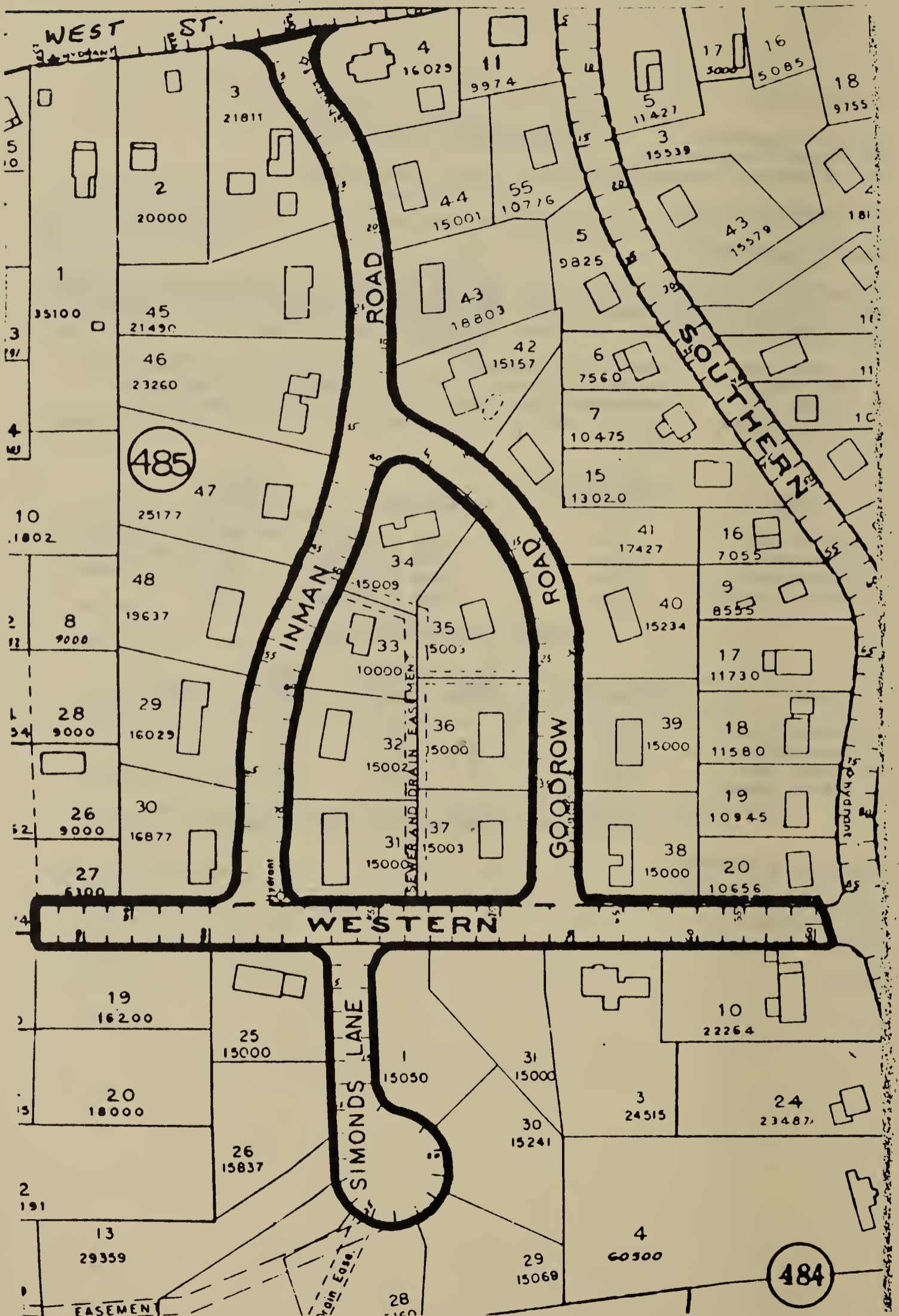
NOTE: Sewer on all streets is 100% complete.

Respectfully submitted,

Paul J. Knight
Paul J. Knight
Acting Town Engineer

PJK/mes

APPENDIX C ARTICLE 7 (Cont.)



APPENDIX D

ARTICLE 17

§ 8J. Handicapped commission; powers and duties; members; terms

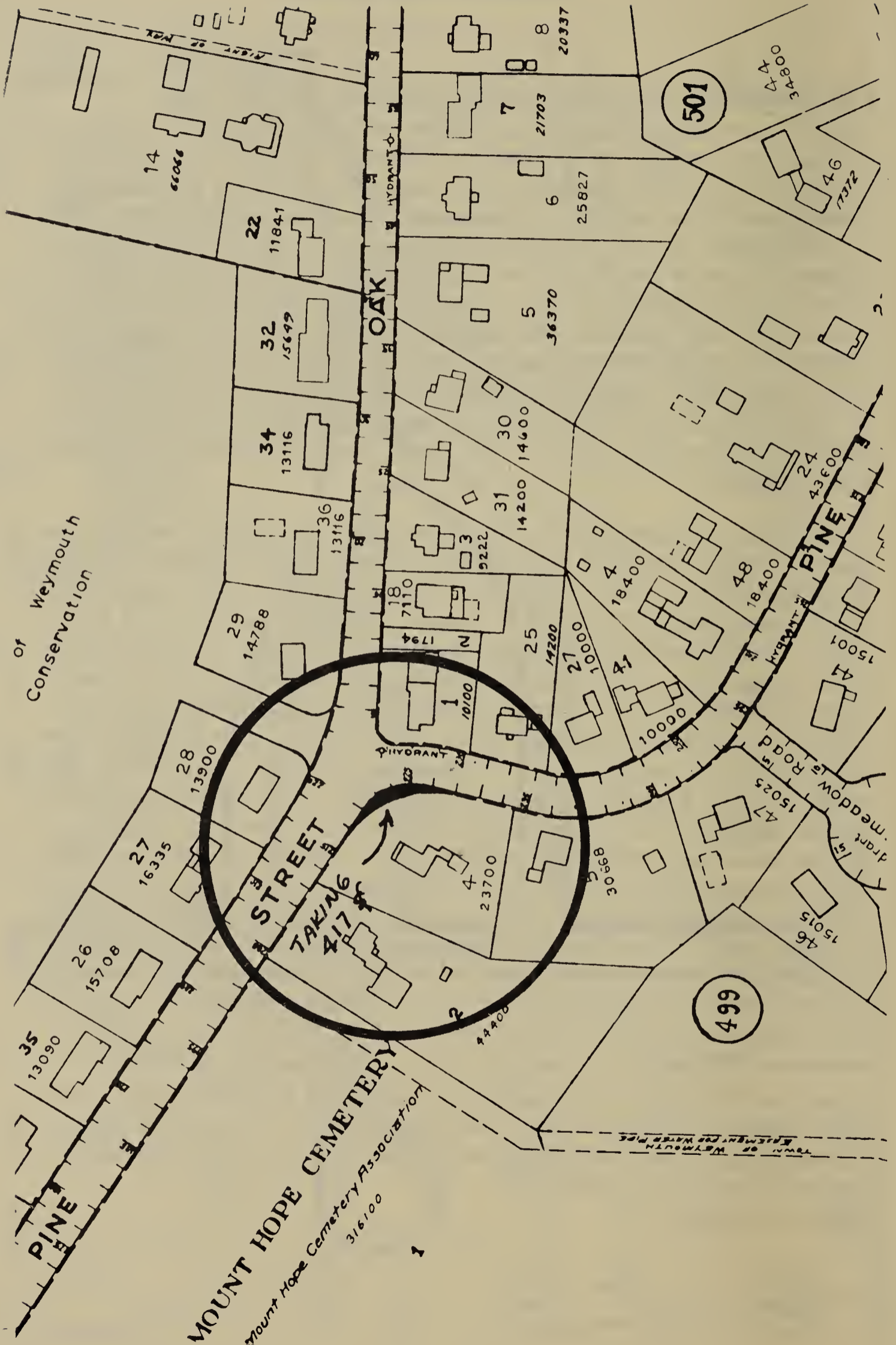
A city which accepts the provisions of this section by vote of its city council, subject to the provisions of its charter, or town which accepts the provisions of this section by vote of its inhabitants at an annual meeting or at a special meeting is hereby authorized to establish a handicapped commission, hereinafter called the commission, for the purpose of coordinating or carrying out programs designed to meet the problems of the handicapped in coordination with programs of the office of handicapped affairs. Said commission shall research local problems of the handicapped and shall coordinate the activities of other local groups organized for similar purposes, and may advertise, prepare, print, and distribute books, maps, charts, plans and pamphlets necessary for its work. Said commission shall keep records of its meetings and actions and shall file an annual report which shall be printed in the city or town annual report and shall have at least six meetings annually.

Said commission shall consist of not more than seven members. In cities, the members shall be appointed by the mayor, subject to the provisions of the city charter except that in cities having a Plan D or Plan E form of government, said appointments shall be by the city manager, subject to the provisions of the charter; and in towns they shall be appointed by the selectmen, except towns having a manager form of government, in which towns appointments shall be made by the town manager, subject to the approval of the selectmen and except towns having a town council form of government, the town manager. A majority of said commission members shall consist of handicapped persons and one of such members may be a member of the immediate family of such handicapped person and one member of said commission shall be either an elected or appointed official of that city or town. The terms of the first members of said commission shall be for one, two or three years, and so arranged that the term of one of the members expires each year, and their successors shall be appointed for terms of three years each. Any member of said commission may, after a public hearing, if so requested, be removed for cause by the appointing authority. A vacancy occurring otherwise than by expiration of a term shall be filled for the unexpired term in the same manner as an original appointment. The chairman of the commission shall be chosen by a majority vote of said commission members.

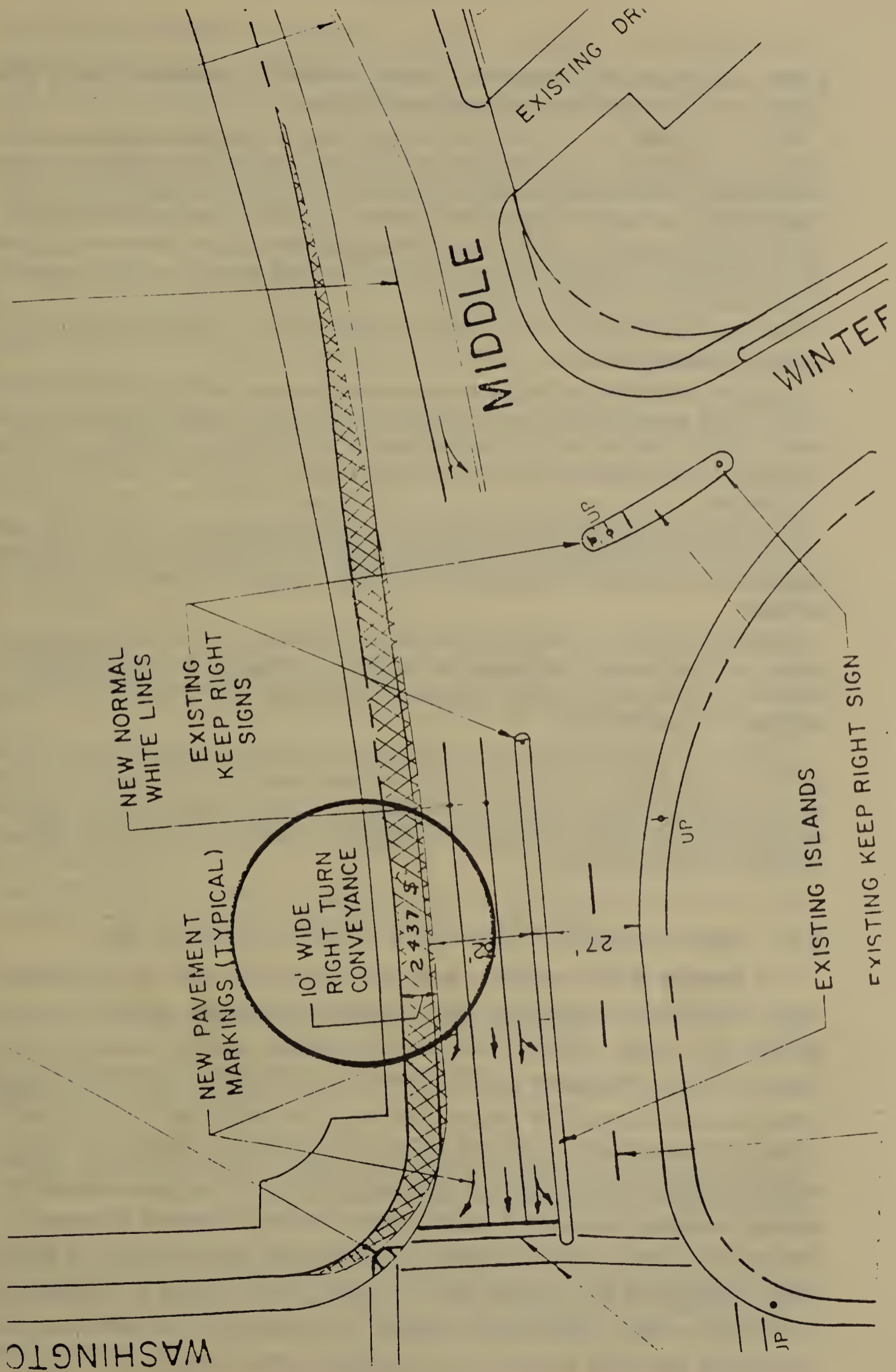
Said commission may receive gifts of property, both real and personal, in the name of the city or town, subject to the approval of the city council in a city or the selectmen in a town, such gifts to be managed and controlled by said commission for the purposes of this section.

Added by St.1983, c. 75.

APPENDIX E ARTICLE 26



APPENDIX F ARTICLE 27



APPENDIX G

ARTICLE 28

§ 10C. Stationing of Commercial Vessel to Public Commercial Dock, Pier, Wharf, etc; Written Permits; Appeal and Review.

Notwithstanding any contrary provision of law, the harbormaster of a city or town or whomsoever is so empowered by said city or town may authorize by written permit the stationing of commercial vessels to a public commercial dock, pier, wharf, float, raft or mooring, fixed or otherwise, within the territorial jurisdiction of such city or town upon such terms, conditions and restrictions as he shall deem necessary. He shall act on application for such permits within a period of seven days from his receipt thereof.

Such application may be left at the office of the city or town clerk by the master of such commercial vessel.

If the harbormaster of whomever is so empowered fails to act within such period, such permit shall then be deemed to have been granted. Any refusal to grant such permits within such period shall be in writing by the harbormaster or whomever is so empowered by said city or town and shall include the reasons for such refusal.

Any person aggrieved by the decision of the harbormaster of said city or town or whomever is so empowered by said city or town relative to such stationing may appeal to the division of waterways of the department within thirty days of such decision.

Said division shall review the circumstances resulting in such appeal and shall render a ruling either confirming the decision, setting such decision aside, or amending such decision and imposing conditions and restrictions deemed necessary by said division.

Actions by a harbormaster or said division of waterways under the provisions of this section shall be subject to applicable laws administered by the division of motor boats, the division of marine fisheries, the United States Coast Guard and the United States Corps. of Engineers. (1983, 428, approved October 18, 1983, effective 90 days thereafter.)

§ 11. Improvement and Preservation of Rivers, Harbors, etc.

The department shall undertake such construction and work for the improvement, development, maintenance and protection of tidal and nontidal rivers and streams, great ponds, harbors, tide waters, foreshores and shores along a public beach as it deems reasonable and proper, and for this purpose shall have the same powers conferred upon it by section thirty-one. The department, in pursuance of the work authorized, may construct, reconstruct, alter and repair bridges, culverts, conduits, pipes, walls and dams and may do such other incidental work as may be deemed necessary for the improvement and safety of waterways. In selecting the places to do such work, the department shall consider the general public advantage of the proposed work, the local interest therein as manifested by municipal or other contributions therefor, the importance of the industrial or commercial and other interests to be especially served thereby, and any other

APPENDIX G

ARTICLE 28 (Cont.)

material considerations affecting the feasibility, necessity or advantage of the proposed work or the expenditure therefor. No work authorized by this section shall be begun until after a public hearing has been held and a survey and an estimate of the cost has been made.

The department is hereby authorized to enter into agreements with the Soil conservation Service of the United States Department of Agriculture for the performance of work necessary on resource conservation and development projects of work necessary on resource conservation and development projects approved for the commonwealth. Said agreements shall be limited to those for which the Soil Conservation Service is authorized to share in the installation cost, including flood prevention measures, agricultural water management, erosion and sediment control measures, fish and wildlife measures and recreation development.

In any project undertaken under the authority of this section, the department is authorized to pay the commonwealth's share of funds to the federal government if the Soil Conservation Service is the contracting agency for the project. (1909, 481, §§1, 2; 1919, 350, §113; 1931, 394, §60; 1950, 516; 1955, 5; 1955, 448, §§1, 2; 1971, 967.)

Editorial Note —

The 1950 amendment affected only the first sentence of the section, enlarging the department's control over rivers and streams, and granting control over shores along public beaches.

The first 1955 amendment affected only the first sentence of this section, broadening its scope.

The second 1955 amendment by § 1 inserted in the sentence amended by the earlier Act the words "great ponds," and by § 2 added a new sentence immediately following the sentence amended by § 1.

The 1971 amendment added two paragraphs relative to cooperative agreements of the department with the Soil Conservation Service of the United States.

C. 91

Annotated Laws of Massachusetts

§ 29

§ 29. Counties and Towns May Appropriate Money and Assume Liabilities for Certain Improvements, etc.

A county or town may appropriate money for the improvement of tidal and non-tidal rivers and streams, harbors, tide waters, foreshores and shores along a public beach within its jurisdiction, and the money so appropriated shall be paid to the state treasurer and be expended by the department for said purposes within the limits of such town; and the town may also assume liability for all damages to property suffered by any person by any taking of land, or of any right, interest or easement therein, within the town made by said department for the purposes hereinbefore authorized. (1909, 481, § 3; 1913, 635, § 3; 1919, 350, § 113, 1931, 394, § 73; 1950, 524.)

APPENDIX G

ARTICLE 28 (Cont.)

Editorial Note —

The 1950 amendment authorized counties and towns to appropriate money for the enlarged purposes of the amended section.

Federal Aspects —

Federal controls for the protection of navigable waters and for harbor and river improvements, 33 USCS §§ 401 et seq.

Federal law governing river and harbor improvements, 33 USCS §§ 540 et seq.

Flood control, 33 USCS §§ 701 et seq.

Federal ports and waterways safety program, 33 USCS § 1221.

Code of Massachusetts Regulations —

Determination of need of hospitals licensed by the Department of Mental Health, 105 CMR §§ 102.010 et seq.

§ 29A. Cities and Towns Authorized To Make Appropriations for Construction of Certain Structures Along Their Shores.

Any city or town which accepts the provisions of this section may appropriate money for the construction of structures for the protection of private property along shores within its boundaries. Money so appropriated shall be paid to the state treasurer and expended by the department for such purposes within the limits of such city or town; provided, however, that such city or town assumes liability for all damages to property by reason of any taking of land, or of any right, interest or easement therein, within the city or town by the department for such purpose. (1963, 608.)

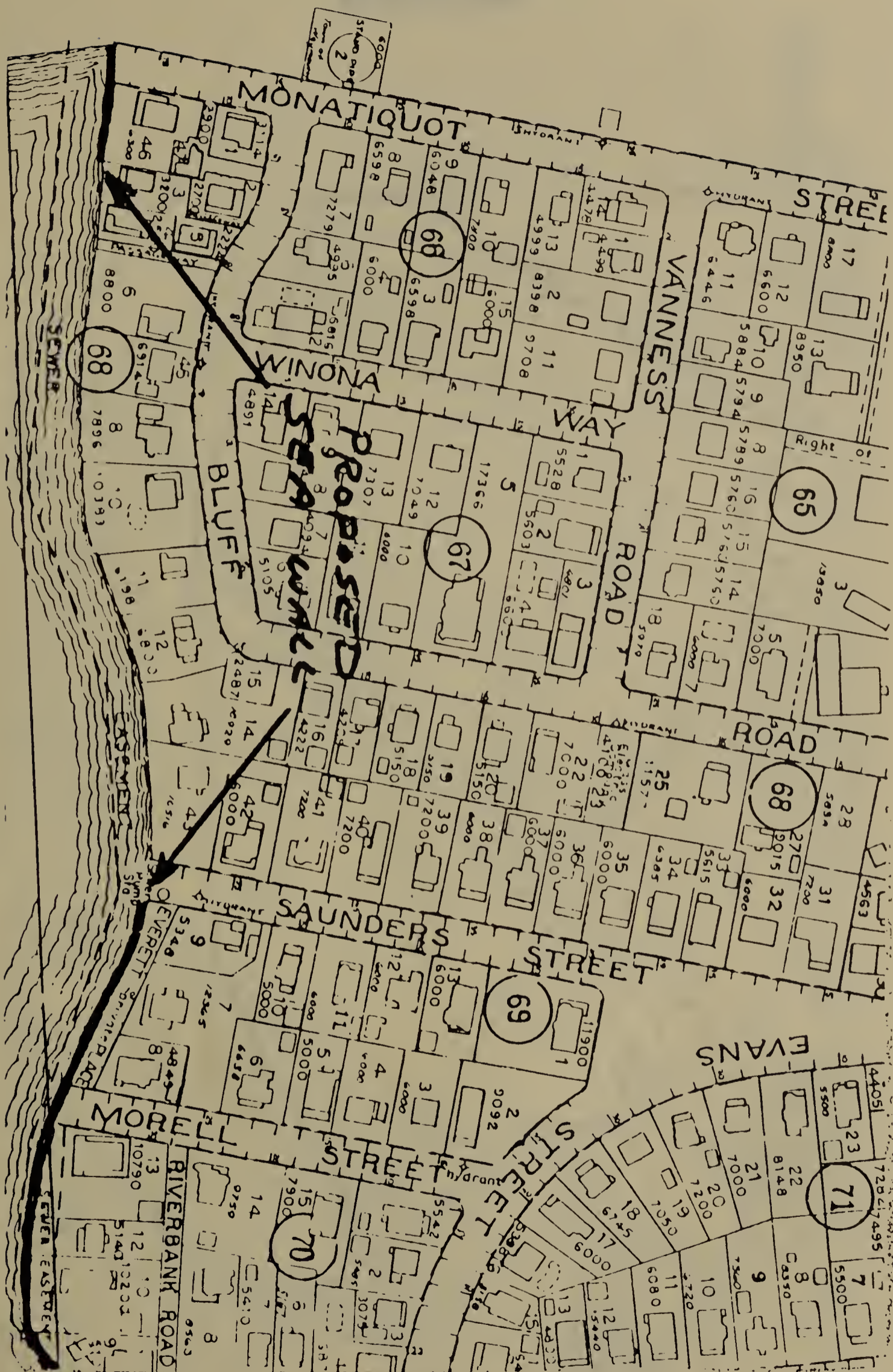
Federal Aspects —

Federal controls for the protection of navigable waters and for harbor and river improvements, 33 USCS §§ 401 et seq.

Establishment by Federal Secretary of Transportation of anchorage grounds and regulations, 33 USCS §§ 471 et seq.

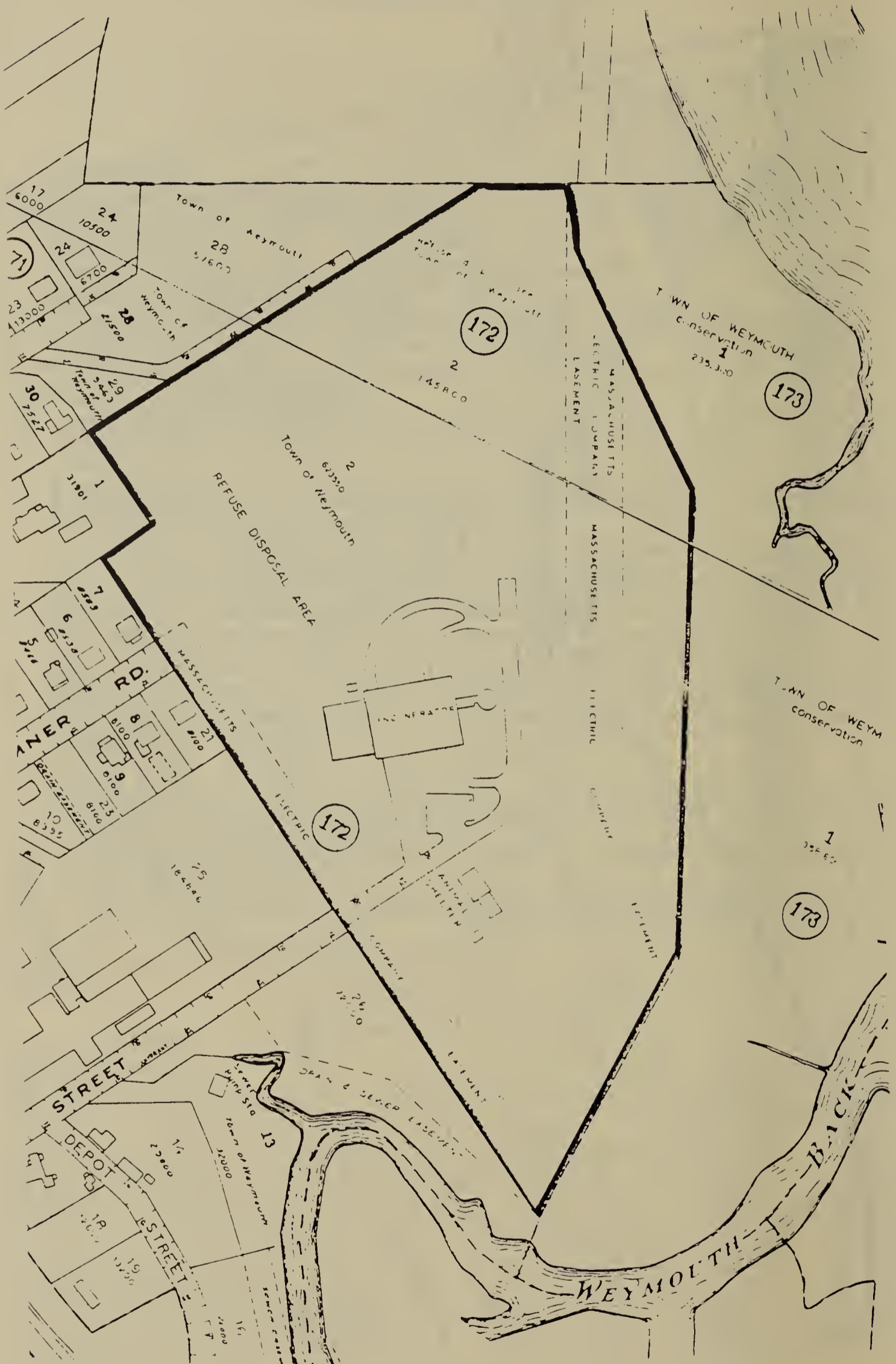
Federal law governing river and harbor improvements, 33 USCS §§ 540 et seq.

APPENDIX G ARTICLE 28 (Cont.)

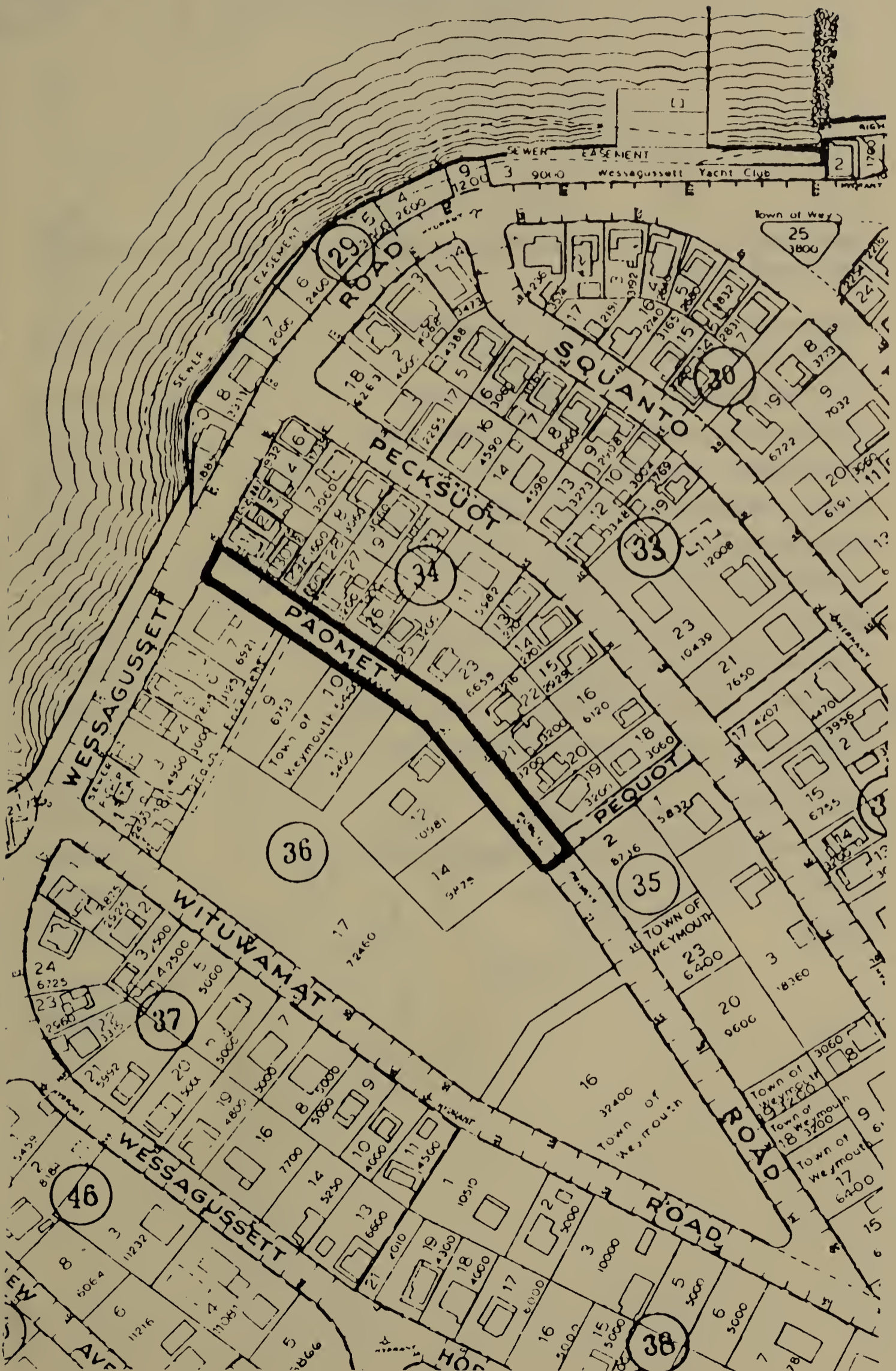


APPENDIX H

ARTICLE 29



APPENDIX I
ARTICLE 30



APPENDIX J

ARTICLE 31

Submitted herewith is the School Maintenance list for Article 31 for the 1987 Annual Town Meeting:

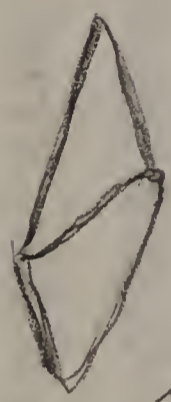
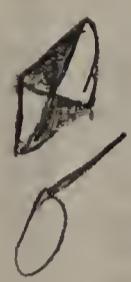
Window Replacement - North High School (Bid will be ready for town meeting)	\$1,000,000.00
Intercom Replacement - South High School	38,000.00
Gym Bleacher Replacement - South High School	85,000.00
Roof Repairs - Academy Ave. School	30,000.00
Masonry Repointing and Restoration - Fulton School	40,000.00
Window Replacement in Gym Ara, Old Wing - Fulton School	25,000.00
Install Sewer System - Fulton School	40,000.00
Replace Roof (right wing) - Homestead School	80,000.00
Window Replacement - Johnson School	160,000.00
Window and Skylight Replacement - Nash School	70,000.00
Roof Replacement over Office Area and Upper Roof Repairs - Pingree School	35,000.00
Boiler Addition - Pingree School	60,000.00
Roof Replacement (office area) - Seach School	38,000.00
Replace Windows - Talbot School	125,000.00
TOTAL	\$1,826,000.00
	rounded to
	\$1,825,000.00

158
1290

Ch. 1000

(12)

Water / Spring



May 14
26

June 3

Young
Board of
Appeals

Meeting of OCLN -
Meeting of Thursday
Meeting @ Museum

①

②

③

June 16

My Fellow Town Meeting Member:

Should the Board of Public Works under Article 29 request Town Meeting Town Meeting to vote to approve a proposal for a Resource Recovery Plant, or enter into a contract, lease, or any type of negotiations leading to a contract, Town Meeting should vote a resounding NO!

Town Meeting should be given ample time to study the entire matter before any vote at all is taken .

The residents of the town likewise should have the opportunity to study the proposal and ask questions, for they will be the ones who will pay for it and live with it. They have a right to know all aspects.

This is a twenty-year lease and a multi-million dollar project which is being proposed. There are serious safety, health, and environmental consequences which must be dealt with. In addition there are economic questions which have to be discussed at length.

Three other states have already classified flyash as hazardous, requiring transport to expensive designated sites at a high cost. Also, despite improvements in air pollution equipment since 1976, there is still a large amount of dangerous pollutants emitted from these plants.

Many towns appoint study committees composed of qualified citizens to study proposals made by their DPW's and make recommendations to Town Meeting. This town has no such committee. Neither have residents or Town Meeting members received any material to study or ask questions about.

In 1965 Weymouth built an incinerator which was closed in 1976 for failure to meet federal air standards. Taxpayers continued to pay into the 80's for this plant as well as paying to have rubbish taken out of town. This time around every aspect of the basic proposal must be studied carefully and all aspects studied. There should be no rush.

Town meeting should not vote to proceed in any way on Article 29.

Mary F. Taormey
Town Meeting Member, Precinct 8

John McCaffrey

John Scott Nursing Home



APPENDIX K

ARTICLE 33

GL c. 44 § 53A note

CHAPTER 194

CITIES AND TOWNS — SCHOLARSHIP FUND

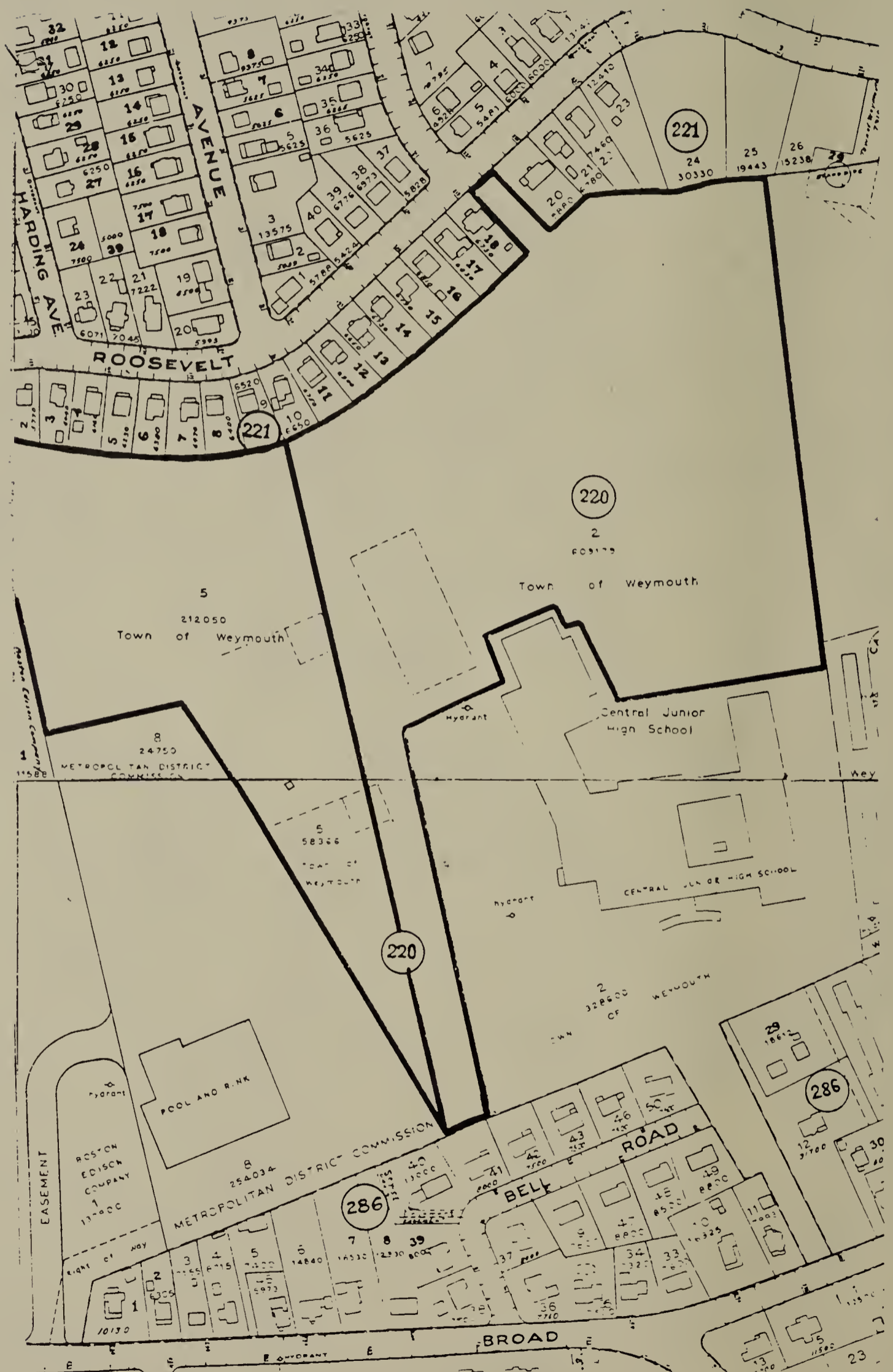
An act authorizing a city or town to establish a scholarship fund.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

Any city or town which accepts the provisions of this act, is hereby authorized, subject to the approval of the commissioner of revenue to design and designate a place on its municipal tax bills, or the motor vehicle excise tax bill, whereby the taxpayer of said city or town can voluntarily checkoff, donate, and pledge an amount not less than one dollar or such other designated amount which shall increase the amount otherwise due, and to establish a city or town scholarship fund, the purpose of said fund shall be to provide educational financial aid to deserving city and town residents. Said fund shall be under the jurisdiction of the city or town treasurer or the board of selectmen acting for and in behalf of the city or town, and all monies which are collected as a result of the voluntary checkoff shall be transferred to the principal of said fund, and the city or town treasurer shall be the custodian of the fund and may deposit the proceeds in a bank or invest the same in such securities as are legal for the investment of funds of savings banks under the laws of the commonwealth or in federal savings and loan associations situated in the commonwealth. In any city or town establishing a scholarship fund, there shall be a scholarship committee to consist of the superintendent of schools, or his designee, and no fewer than five residents of the city or town appointed to a three-year term by the board of selectmen.

Approved July 8, 1986.

APPENDIX L ARTICLES 39 & 40



APPENDIX M

ARTICLES 41 & 42

1986 REGULAR SESSION

PROPERTY TAXES — EXEMPTIONS

CHAPTER 73

AN ACT PROVIDING RELIEF FROM THE IMPACT OF REVALUATION.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

SECTION 1. Section 5 of chapter 59 of the General Laws, as appearing in the 1984 Official Edition, is hereby amended by inserting after clause Seventeenth C the following clause:

Seventeenth D. Real estate, to the taxable valuation of two thousand dollars or the sum of one hundred and seventy-five dollars, whichever would result in an abatement of the greater amount of actual taxes due, of a surviving spouse or of any minor whose parent is deceased, occupied by such spouse, or minor as her or his domicile, or a person or persons over the age of seventy who has owned and occupied it as a domicile for not less than five years; provided, that the whole estate, real and personal, of such spouse, person or minor does not exceed in value the sum of forty thousand dollars provided that the real property occupied by such person as his or her domicile shall not be included in computing the whole estate, except for any portion of said real property which produces income and exceeds two dwelling units, exclusive of property otherwise exempt under clauses, Twelfth, Twentieth and Twenty-first, exclusive of the value of the mortgage interest held by persons other than the person or persons to be exempted in such mortgaged real estate as may be included in such whole estate.

No real estate shall be so exempt which the assessors shall adjudge has been conveyed to such spouse, person or minor to evade taxation. A spouse, person or minor aggrieved by any such judgment may appeal to the county commissioners or to the appellate tax board within the time and in such manner allowed by section sixty-four or sixty-five, as the case may be. Any exemption under this clause, to the taxable valuation of two thousand dollars or the sum or one hundred and seventy-five dollars, whichever would result in an abatement of the greater amount of actual taxes due may be apportioned among the persons whose title to the real estate was acquired under the provisions of section three of chapter one hundred and ninety and who qualify for an exemption under this clause. This clause shall take effect in any city or town upon its acceptance by such city or town for fiscal years commencing on or after July first, nineteen hundred and eighty-six, or for fiscal years commencing on or after such later July first as the city or town may elect. In those cities and towns which accept the provisions of this clause, the provisions of clauses Seventeenth and Seventeenth C shall not be applicable; provided, however, that the state treasurer shall annually reimburse the city or town an amount equal to the reimbursement granted to such city or town under said clause Seventeenth for the most recent fiscal year in which it received such reimbursement.

SECTION 2. Clause Forty-first of said section 5 of said chapter 59, as so appearing, is hereby amended by striking out the last paragraph and inserting in place thereof the following paragraph:

Any amount of money annually appropriated by the commonwealth for the purpose of reimbursing cities and towns for taxes abated under this clause, clause Forty-first B, and clause Forty-first C shall be distributed as hereinafter provided. The commissioner of

APPENDIX M

ARTICLES 41 & 42

(Cont.)

revenue shall divide said sum by the number of exemptions under this clause, clause Forty-first B, and clause Forty-first C granted in the preceding fiscal year and distribute to each city and town a pro rata share of said sum based upon the number of such exemptions granted in each city and town. If a city or town has elected to grant exemptions under clause Forty-first B or clause Forty-first C in lieu of this clause, the number of exemptions granted in such city or town, for purposes of this computation, shall not exceed the number of exemptions granted under this clause in such city or town in the most recent fiscal year in which such exemptions under this clause were granted.

SECTION 3. Said section 5 of said chapter 59 is hereby further amended by inserting after clause Forty-first B the following clause:-

Forty-first C, Real Property, to the amount of four thousand dollars of taxable valuation or the sum of five hundred dollars, whichever would amount in an exemption of the greater amount of taxes due, of a person who has reached his seventieth birthday prior to the fiscal year for which an exemption is sought and occupied by said person as his domicile, or of a person who owns the same jointly with his spouse, either of whom has reached his seventieth birthday prior to the fiscal year for which an exemption is sought and occupied by them as their domicile, or for a person who has reached his seventieth birthday prior to the fiscal year for which an exemption is sought who owns the same jointly or as a tenant in common with a person not his spouse and occupied by him as his domicile; provided: (A) that such person (1) has been domiciled in the commonwealth for the preceding ten years, (2) has so owned and occupied such real property other real property in the commonwealth for five years, or (3) is a surviving spouse who inherits such real property and has occupied such real property in the commonwealth five years and who otherwise qualified under this clause; (B) that such person had, in the preceding year gross receipts from all sources of less than thirteen thousand dollars, or if married, combined gross receipts with his spouse of less than fifteen thousand dollars, provided, however, that in computing the gross receipts of an applicant under this clause ordinary business expenses and losses may be deducted, but not personal or family expenses; and provided, further, that there shall be deducted from the total amount received by the applicant under the federal social security or railroad retirement and from any annuity, pension, or retirement plan established for employees of the United States government, the government of the commonwealth, or the government of any city, town, county, or special district, included in such gross receipts, an amount equivalent to the minimum payment than payable under said federal social security law, as determined by the commissioner of revenue, to a retired worker seventy years of age or over, if the applicant is unmarried, or to a retired worker and spouse, both of whom are seventy years of age or over, if the applicant is married; and (C) that such person had a whole estate, real and personal, not in excess of twenty-eight thousand dollars, or if married, not in excess of thirty thousand dollars, provided that real property occupied as his domicile shall not be included in computing the whole estate except for any portion of said property which produces income and exceeds two dwelling units. In the case of real property owned by a person jointly or as a tenant in common with a person not his spouse, the amount of his exemption under this clause shall be that proportion of four thousand dollars valuation or the sum of five hundred dollars, whichever would result in an exemption of the greater amount of taxes due, which the amount of his interest in such property bears to the whole tax due, provided: (A) that no exemption shall be granted to any

APPENDIX M

ARTICLES 41 & 42

(Cont.)

joint tenant or tenant in common unless the gross receipts from all sources whatsoever of each joint tenant or tenant in common is less than thirteen thousand dollars or, if married, the combined gross receipts from all sources whatsoever, of each joint tenant or tenant in common and his spouse is less than fifteen thousand dollars, provided, however, that in computing the gross receipts of an applicant under this clause ordinary business expenses and losses may be deducted, but not personal or family expenses; and provided, further, that there shall be deducted from the total amount received by the applicant under the federal social security or railroad retirement and from any annuity, pension, or retirement plan established for employees of the United States government, the government of the commonwealth, or the government of any city, town, county, or special district, included in such receipts, an amount equivalent to the minimum payment then payable under said federal social security law, as determined by the commissioner of revenue, to a retired worker seventy years of age or over, if the applicant is unmarried, or to a retired worker and spouse, both of whom are seventy years of age or over, if the applicant is married; and (B) that the combined whole estate, real and personal, of each joint tenant or tenant in common is less than twenty-eight thousand dollars or, if married, the combined whole estate, real and personal of each joint tenant or tenant in common and his spouse does not exceed thirty thousand dollars, provided that real property occupied as their domicile shall not be included in computing the whole estate except for any portion of said property which produces income and exceeds two dwelling units. No proportion of the exemption shall be denied to any applicant otherwise qualified for the reason that another joint tenant or tenant in common receives a proportion of the total exemption. Household furnishings and property already exempt under the clauses Twelfth, Twentieth, Thirty-first, and Thirty-fifth shall not be included in computing the whole estate for purposes of this section. Where a portion of the real property occupied as a domicile of an applicant under this clause is located within a municipality other than the municipality in which the applicant is domiciled, and where the value of said property, or the taxes, assessed by the municipality in which such applicant is domiciled would result in his receiving less than the maximum exemption provided by this clause, that part of the property of such applicant within such other municipality shall be exempt to a value, or to an amount of tax, sufficient to grant the applicant the total maximum exemption provided by the clause. This clause shall take effect in any city or town upon its acceptance by such city or town for fiscal years commencing on or after July first, nineteen hundred and eighty-six, or for fiscal years commencing on or after such later July first as the city or town may elect. In those cities and towns which accept the provisions of this clause, the provisions of clause Forty-first and Forty-first B shall not be applicable; provided, however, that any amount of money annually appropriated by the commonwealth for the purpose of reimbursing cities and towns for taxes abated under this clause, clause Forty-first and clause Forty-first B shall be distributed as provided in said clause Forty-first.

SECTION 4. Notwithstanding any general or special law to the contrary; in each city or town certified by the commissioner of revenue to be assessing all property at full and fair market value, upon acceptance by the local appropriating authority, as hereinafter defined, a taxpayer who shall otherwise qualify for an exemption under clauses Seventeenth, Seven-

APPENDIX M

ARTICLES 41 & 42

(Cont.)

teenth C, Seventeenth D, Twenty-second, Twenty-second A, Twenty-second B, Twenty-second C, Twenty-second D, Twenty-second E, Thirty-seventh, Thirty-seventh A, Forty-first, Forty-first B, Forty-first C, Forty-second or Forty-third of section five of chapter fifty-nine of the General Laws shall be entitled to an additional exemption which shall be uniform for all exemptions and none of which shall exceed one hundred per cent of said exemption for which he qualifies; provided, however, that in no instance shall the taxable valuation of such property, after all applicable exemptions, be reduced below ten per cent of its full and fair cash valuation except through the application of section eight A of chapter fifty-eight or clause Eighteenth of section five of chapter fifty-nine of the General Laws; and provided, further, that the additional exemption shall not result in any taxpayer paying less than the taxes paid in the preceding fiscal year except through the application of section eight A of chapter fifty-eight or clause Eighteenth of section five of chapter fifty-nine of the General Laws. For the purposes of this section, the term "local appropriating authority" shall mean the board of selectmen in a town; the mayor, with the approval of the city council, in a city; and the town council in a municipality having such form of government. The local appropriating authority may elect to apply the provisions of this section in any fiscal year commencing on or after July first, nineteen hundred and eighty-five. The state treasurer shall annually reimburse a city or town which accepts this section only for the amount which otherwise would have been reimbursed under the respective clause had this section not been accepted by said city or town.

SECTION 5. Notwithstanding any general or special law to the contrary, in any city or town which properly accepts the provisions of sections one, three, or four of this act, no city or town tax rate for fiscal year nineteen hundred and eighty-six or thereafter which has not been approved by the commissioner of revenue pursuant to section twenty-three of chapter fifty-nine of the General Laws prior to the effective date of this act shall be so approved unless said commissioner certifies that sufficient sums have been provided by the city or town to cover the costs of the locally accepted provisions. The requirements of this paragraph shall apply to all cities and towns for fiscal years beginning on or after July first, nineteen hundred and eighty-five.

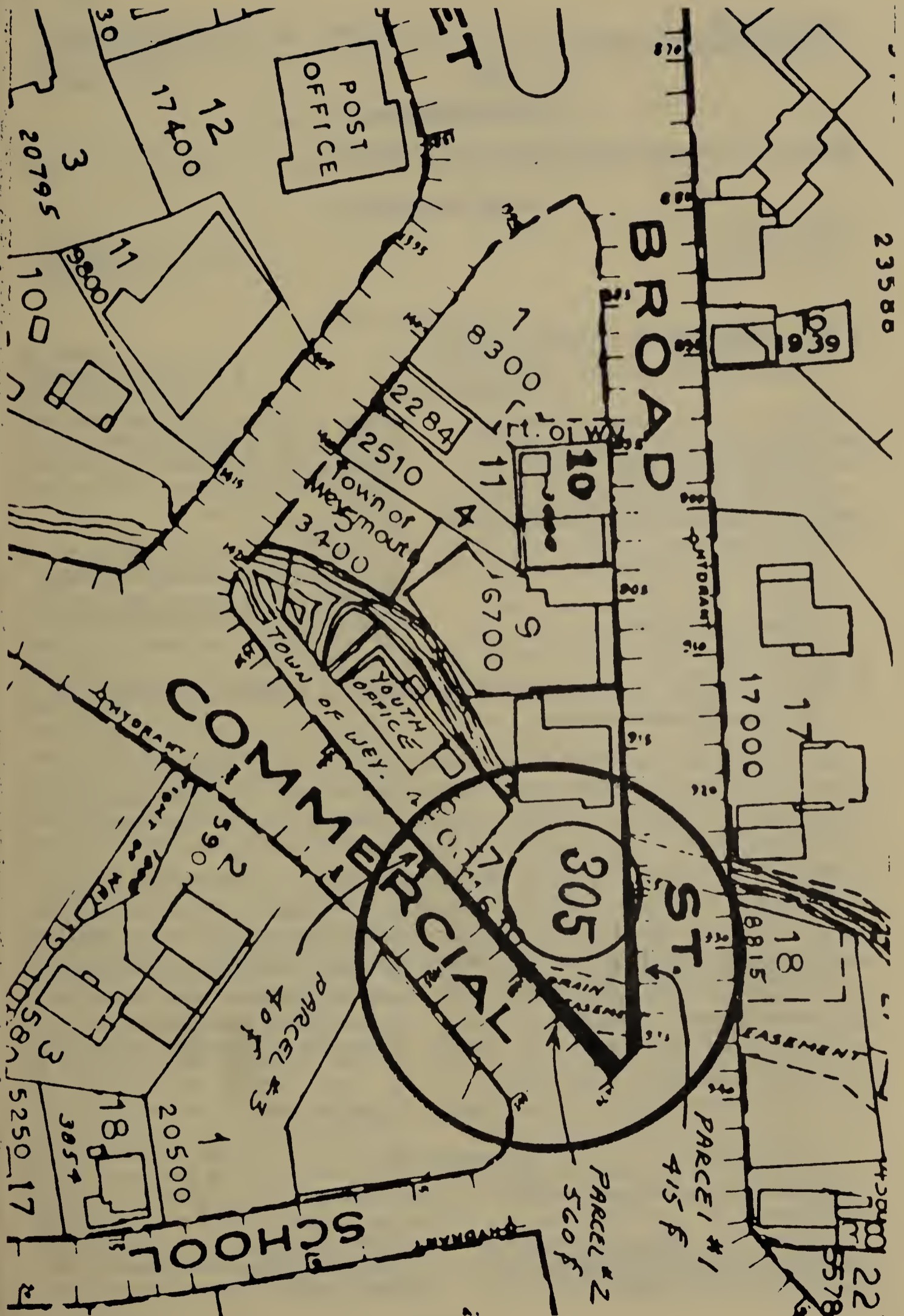
Notwithstanding any general or special law to the contrary, any city or town which has properly accepted the provisions of sections one, three, or four of this act shall allow taxpayers, in the year of such acceptance, an additional forty-five days from the date of such acceptance to file applications for exemption thereunder; provided, however, that if any other general or special law would allow a later date for submission of said applications, that the later date shall apply. The commissioner of revenue shall promulgate any necessary rules or regulations to ensure that all other time requirements of any general or special law inconsistent herewith conforms with the provisions of this section.

SECTION 6. The provisions of this act shall take effect upon its passage and shall apply to all fiscal years beginning on or after July first, nineteen hundred and eighty-five.

Approved June 9, 1986.

APPENDIX N

ARTICLE 44



APPENDIX O

ARTICLE 45

MILITIA

33 § 59

St.1924, c. 465.
G.L.1932 (Ter.Ed.), c. 33 § 59.

G.L. c. 33, § 48, as added by St.1939, c.
425 § 1.

Cross References

Courts-martial, generally, see § 71 et seq. of this chapter.

Library References

Militia ¶6.
C.J.S. Militia § 5.

§ 58. Repealed by St.1977, c. 415, § 7

Historical Note

St.1977, c. 415, § 7, repealing this section, was approved July 13, 1977, and by § 14 made effective Jan. 1, 1978.

The repealed section, which related to the source of additional forces, was derived from:

P.S.1882, c. 14, §§ 153, 154.
St.1887, c. 411, § 151.
St.1893, c. 367, § 151.
R.L.1902, c. 16, §§ 173, 174.

St.1905, c. 465, §§ 179, 181.
St.1908, c. 604, §§ 195, 197.
St.1917, c. 327, §§ 64, 67.
St.1920, c. 199.
G.L.1921, c. 33, § 70.
St.1924, c. 465.
G.L.1932 (Ter.Ed.), c. 33, § 66.
G.L. c. 33, § 53, as added by St.1939, c.
425, § 1.
G.L. c. 33, § 58, as added by St.1954, c.
590, § 1.

§ 59. Effect of military service on salary or vacation allowance of public employees

Any person in the service of the commonwealth, or of a county, city or town which, by vote of its county commissioners or city council or of its inhabitants at a town meeting, accepts this section, or has accepted similar provisions of earlier laws, shall be entitled, during the time of his service in the armed forces of the commonwealth, under section thirty-eight, forty, forty-one, forty-two or sixty, or during his annual tour of duty of not exceeding seventeen days as a member of a reserve component of the armed forces of the United States, to receive pay therefor, without loss of his ordinary remuneration as an employee or official of the commonwealth, or of such county, city or town, and shall also be entitled to the same leaves of absence or vacation with pay given to other like employees or officials.

Added by St.1954, c. 590, § 1. Amended by St.1956, c. 378.

Historical Note

St.1956, c. 378, substituted "seventeen" for "fifteen". **Prior Laws:**

St.1956, c. 378, was approved May 18, 1956. Emergency declaration by the Governor was filed June 15, 1956.

St.1916, c. 126.
St.1917, c. 327 § 65.
G.L.1921, c. 33 § 71.
St.1924, c. 465.

APPENDIX O

ARTICLE 45 (Cont.)

33 § 59

MILITIA

St.1930, c. 157.
G.L.1932 (Ter.Ed.), c. 33 § 67.
St.1935, c. 205.

G.L. c. 33, § 54, as added by St.1939, c.
425 § 1.
St.1952, c. 347.

Code of Massachusetts Regulations

Military leave, office of secretary of commonwealth, see 950 CMR 2.04.

Library References

Militia ¶11.
C.J.S., Militia §§ 14, 23.

Notes of Decisions

In general 1
Particular employees 6
Period of service 7
Purpose of law 2
Reinstatement 3
Temporary employees 5
Time to apply for reemployment 4

entitle him to suffer no loss of pay during the time of his training. Op.Atty.Gen., Jan. 10, 1956, p. 62.

2. Purpose of law

The purpose of this section is to encourage membership in the National Guard by protecting state employees from suffering loss of pay or rights to leaves and vacation during their service in the National Guard. Op.Atty.Gen., Feb. 1, 1977, p. 122.

3. Reinstatement

With relation to those persons who left the employ of the commonwealth for the purpose of serving in the armed forces of the United States, and were consequently deemed to be on leave of absence and might be reemployed before the expiration of one year from the termination of such military service, the commonwealth was required to pay to the state retirement system the amount which such persons would have made if their service with the commonwealth had not been interrupted by their military service when such persons were reinstated or re-employed in the commonwealth's service, regardless of whether they held another job for a period after leaving the service; however with regard to creditable service the commonwealth was only required to credit to an employee on such military leave as creditable service the periods which he actually spent in the armed forces of the United States. Op.Atty.Gen., Oct. 31, 1945, p. 67.

A state employee who orally resigned his position, but did not file a written resignation stating the reason he was leaving his position, and who later entered the armed forces of the United States, was deemed to be upon a leave of absence and upon his return was entitled to his position and the benefits of seniority rights as if his service

1. In general

State employees who are members of the National Guard, except for state staff officers in the National Guard, are entitled to their regular state pay in addition to full-time training duty pay, when called into service by the governor under § 38 of this chapter. Op.Atty.Gen., Feb. 1, 1977, p. 122.

Since full-time training duty in the National Guard is duty ordered by the governor, it is service in the armed forces of the Commonwealth under § 38 of this chapter and is compensable in accordance with this section and §§ 15 and 83 of this chapter. Id.

Enlisted personnel and non-commissioned officers of the National Guard, who are state employees or officials, are entitled to receive state pay, in addition to federal pay, for full-time training duty activities. Id.

This section, which entitles state employees to their regular pay during their time of service in the National Guard, does not apply to full-time staff officers or the Adjutant General of the National Guard. Id.

Public employees in armed forces reserves may not be paid for absence for two months orientation course, and may be paid for the annual tour of duty only if actually employed on the day the tour begins. Op. Atty.Gen., Aug. 1, 1962, p. 41.

A state employee who has been ordered to Fort Benning, Georgia, for training duty is not engaged in such service that will

APPENDIX O

ARTICLE 45 (Cont.)

MILITIA

33 § 59

Note 7

in such position had not been interrupted, and if his salary was paid under a classified compensation plan, he was entitled to a salary rate which included the accrued step rate increments to which he would have been eligible except for his absence on military service, however, he was not entitled to any theoretical accumulated vacation time not due him prior to his entrance into the military service. Op. Atty. Gen., Oct. 2, 1945, p. 47.

State employees who tendered their resignations, not for the purpose of serving in the military or naval forces, but for the purpose of circumventing the effect of their proper discharge from their positions, have no right to be reinstated in their former employment after being discharged from the military and naval forces. Op. Atty. Gen., Oct. 23, 1942, p. 137.

4. Time to apply for reemployment

Under the provisions of St. 1941, c. 708, as amended by St. 1943, c. 548, a member of the armed forces had the absolute right to the full period of one year after the termination of military service in which to return to the employ of the commonwealth if he so desired, and his condition warranted, and he could not estop himself from exercising that right. Op. Atty. Gen., Feb. 6, 1946, p. 83.

5. Temporary employees

State employees serving the commonwealth on a temporary or emergency basis or as public officials, shall be entitled during the time of their service in the organized militia to receive pay therefor without loss of their ordinary remuneration as employees or officials of the commonwealth, and shall also be entitled to pay during their annual term of duty of not exceeding fifteen days as a member of the armed forces of the United States government. Op. Atty. Gen., Aug. 21, 1950, p. 14.

Temporary employees of the departments of the commonwealth are entitled to a leave of absence during the performance of military or naval duty, without loss of their ordinary remuneration as employees or officials of the commonwealth. Op. Atty. Gen., July 13, 1938, p. 91.

6. Particular employees

A register of probate who leaves his office for the purpose of entering the military service of the United States is entitled to

receive his salary while in said service. Op. Atty. Gen., Oct. 24, 1944, p. 29.

Registers of deeds, clerks of court and sheriffs who entered the armed forces during their terms of office, were entitled to receive the full salaries fixed by law for their offices until the enactment of St. 1943, c. 548, notwithstanding the fact that the performance of the duties of their offices devolved upon assistants, temporary appointees to the office, or others. Op. Atty. Gen., Aug. 17, 1943, p. 65.

7. Period of service

An officer of the Massachusetts National Guard who was ordered to proceed to Fort Benning, Georgia, for a period of training, by the governor, and has not been inducted into the federal service, is entitled to receive his compensation from the state department in which he was employed during the period of his military service under the terms of such order. Op. Atty. Gen., Feb. 19, 1941, p. 18.

A naval reserve officer is entitled to receive his salary while on his annual tour of duty with the United States naval reserve forces for a period not exceeding fifteen days. Op. Atty. Gen., Oct. 3, 1940, p. 105.

If the governor, as commander-in-chief of the organized militia, orders the militia to perform duty by way of training with the organized reserves of the United States Army, for a longer period than 15 days, the members of the militia as are ordered out while employees of the commonwealth, are entitled to full pay during such longer period of service, however, if the governor makes no specific order as to time of service, the employee will be limited to receiving 15-days pay only during his annual tour of duty as a member of the organized reserve of the United States Army. Op. Atty. Gen., July 22, 1940, p. 87.

Members of the national guard who were ordered to spend a period of seven days in field training in addition to the usual fifteen day field training which had already been performed, would not lose their ordinary remuneration as an employee or official of the commonwealth, and should have been entitled to the same vacation with pay as other like employees or officials, and also would have been protected by the provisions of former c. 33, § 13, forbidding any interference with the employment of an officer or a soldier for being a member of the militia. Op. Atty. Gen., Nov. 6, 1939, p. 124.

APPENDIX O

ARTICLE 45 (Cont.)

33 § 59A

MILITIA

§ 59A. Military service of public employees; work release for drills

Any person in the service of the commonwealth, or of a county, city or town which has accepted the provisions of section fifty-nine, shall be entitled, during the time of his service in the armed forces of the commonwealth or during his tour of duty as a member of a reserve component of the armed forces of the United States, to be released from his work, without compensation, in order to attend assigned weekly and weekend drills which require absence from his normally scheduled work tour. Such release from work shall not affect his leaves of absence or vacation with pay, and he shall receive the same leaves of absence or vacation with pay given to other like employees or officials.

Added by St.1969, c. 2, § 1.

Historical Note

St.1969, c. 2, § 1, was approved Feb. 5, 1969. Emergency declaration by the Governor was filed Feb. 6, 1969.

Library References

Counties ⇐70.

Municipal Corporations ⇐220(5).

States ⇐60.2.

C.J.S. Counties §§ 110, 111.

C.J.S. Municipal Corporations § 721.

C.J.S. States §§ 104, 105.

Comments.

Municipal employees, leaves of absence, disability, see M.P.S. vol. 18, Randall and Franklin, § 299.

§ 60. Annual training period

The armed forces of the commonwealth shall perform during each year not less than fifteen days' training under service conditions at times and places designated by the commander-in-chief.

Added by St.1954, c. 590, § 1.

Historical Note

Prior Laws:

St.1881, c. 277 §§ 3, 4.

P.S. 1882, c. 14 §§ 108, 109, 111.

St.1884, c. 230 §§ 13, 14.

St.1887, c. 411 §§ 106, 107, 109.

St.1893, c. 367 §§ 106, 107, 109.

St.1898, c. 348 § 1.

R.L.1902, c. 16 §§ 128, 129, 131.

St.1905, c. 465 §§ 134, 135, 137.

St.1908, c. 604 §§ 151, 152, 154.

St.1916, c. 209.

St.1917, c. 327 §§ 146, 147.

G.L.1921, c. 33 § 135.

St.1924, c. 465.

G.L.1932 (Ter.Ed.), c. 33 § 123.

G.L. c. 33, § 105, as added by St.1939, c. 425 § 1.

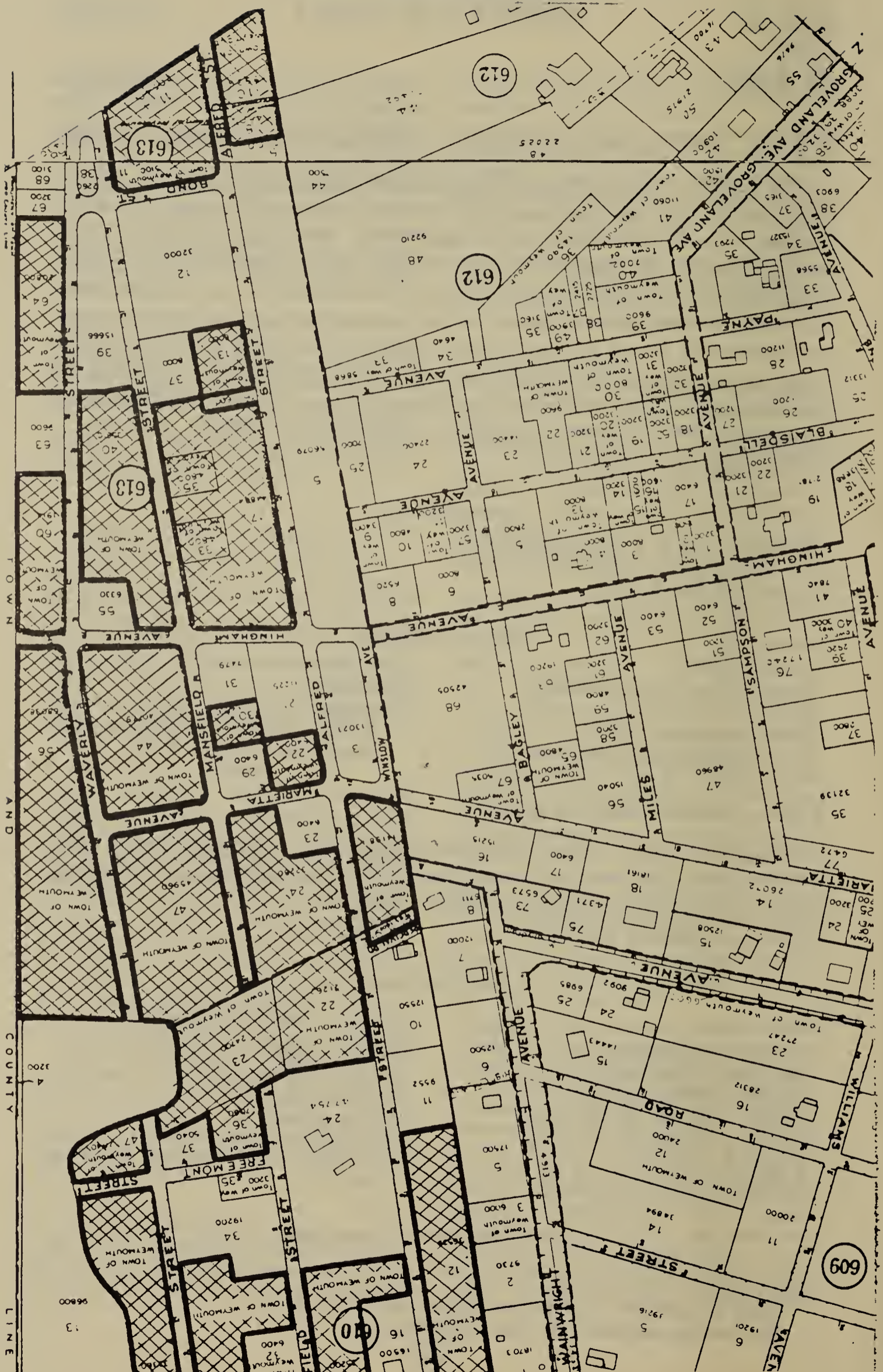
Code of Massachusetts Regulations

Military leave,

Office of secretary of commonwealth, see 950 CMR 2.04.

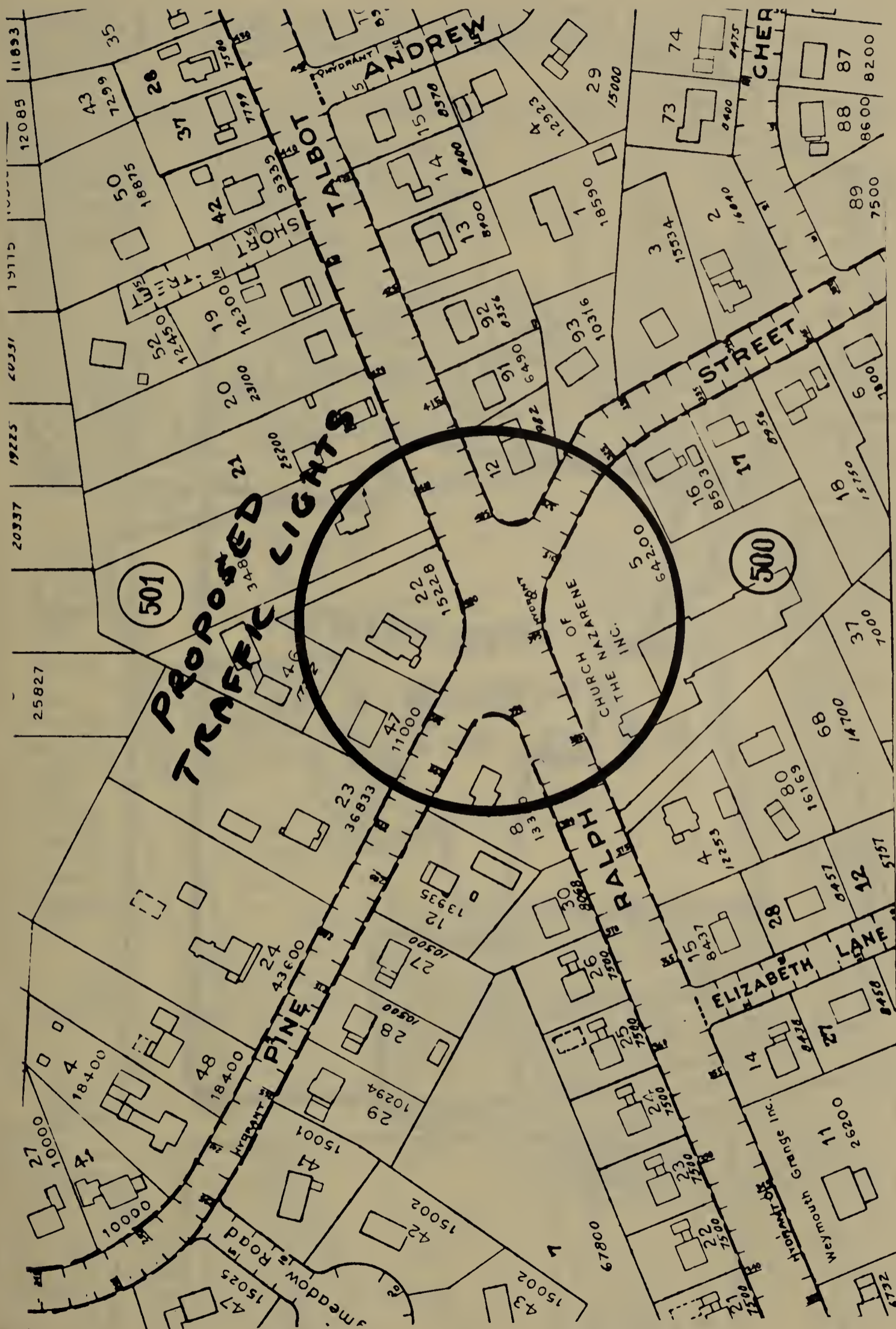
State auditor personnel rules, see 965 CMR 2.04.

APPENDIX P ARTICLE 57

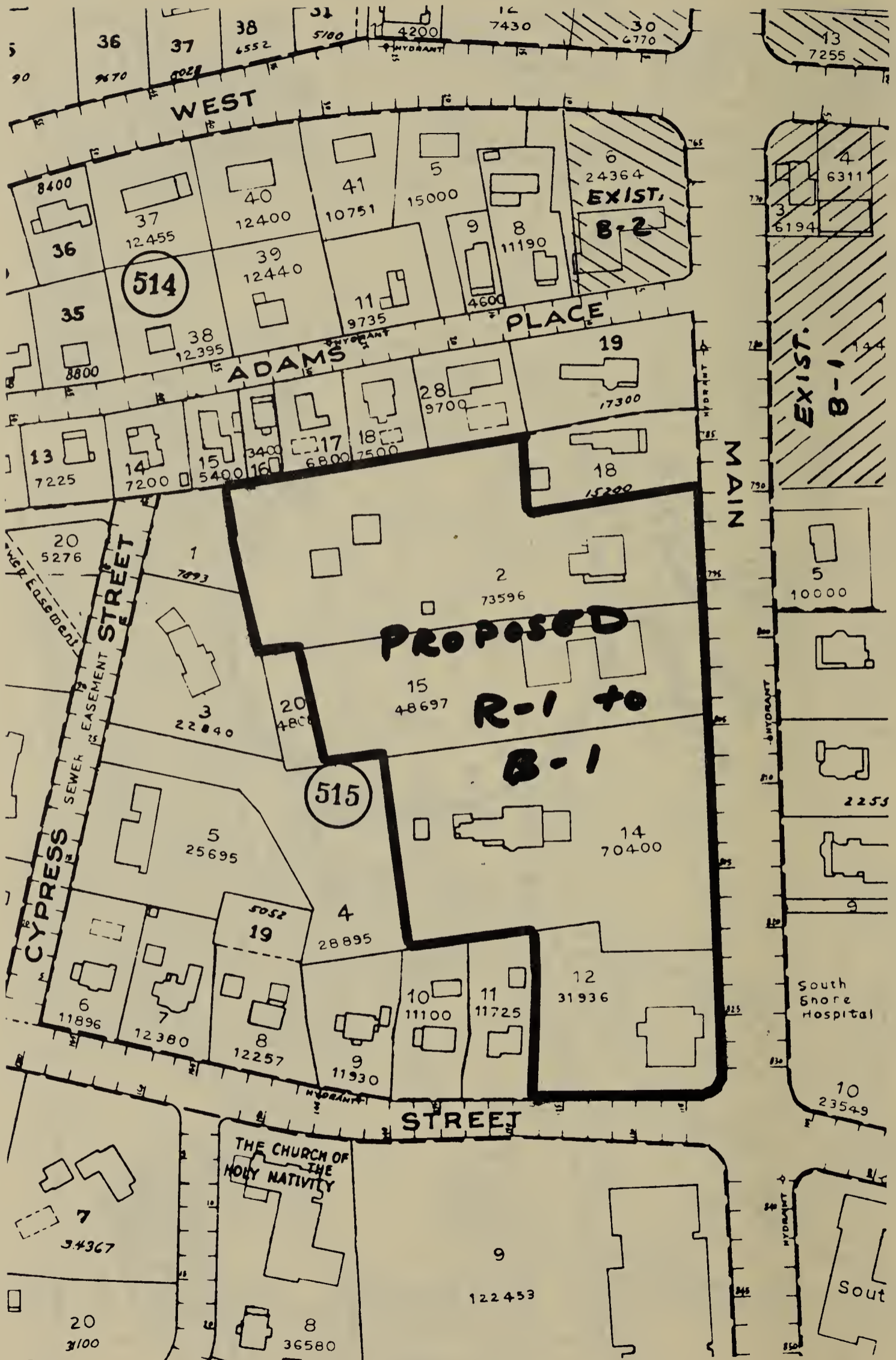


APPENDIX Q

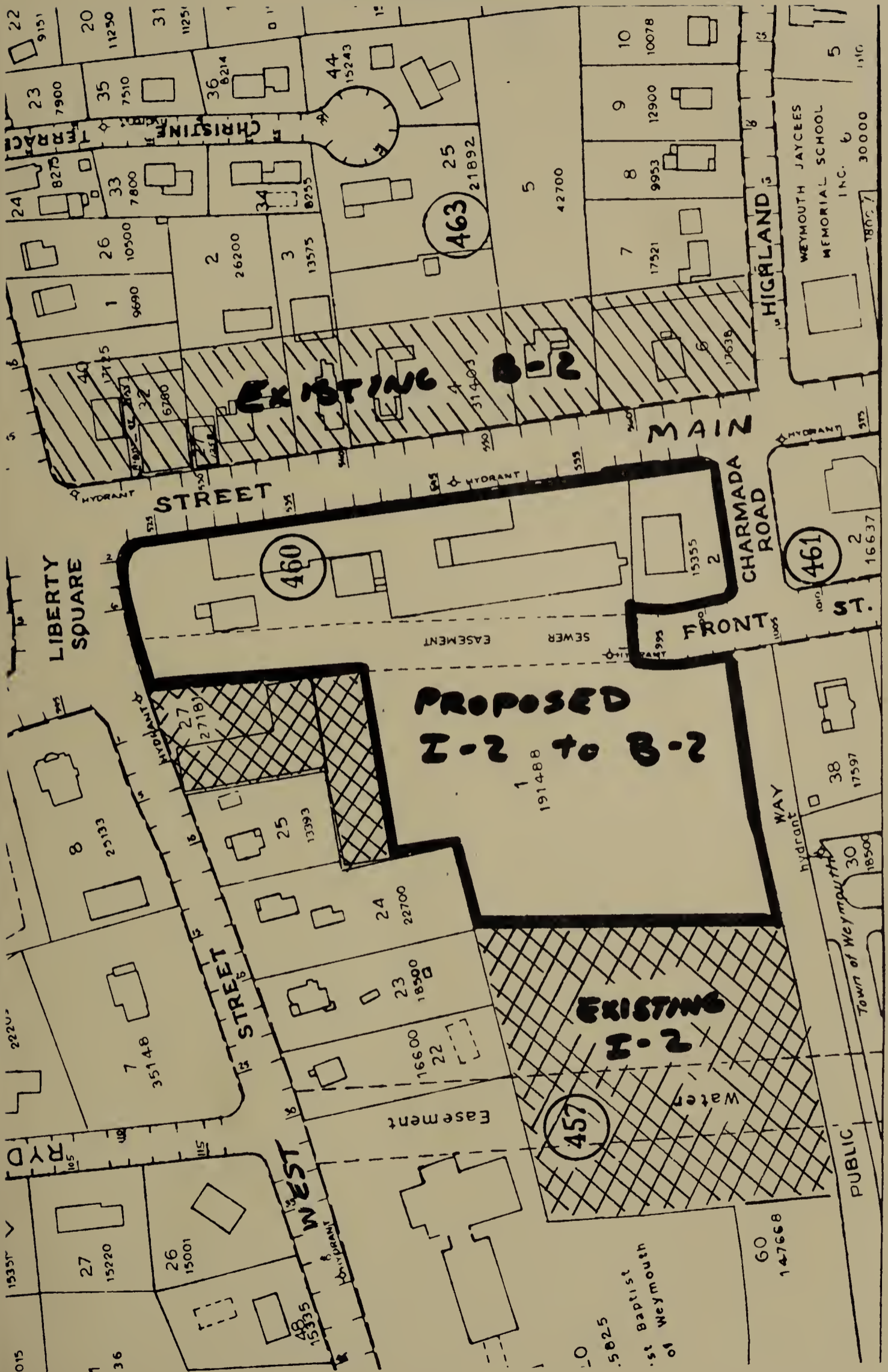
ARTICLE 58



APPENDIX R ARTICLE 59



APPENDIX S ARTICLE 61



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